

UNITED STATES DISTRICT COURT
DISTRICT OF NEW YORKNyjee Boyd ID# 15B2063

(In the space above enter the full name(s) of the plaintiff(s).)

v.

COMPLAINT

under the

Civil Rights Act, 42 U.S.C. § 1983

Jury Trial: Yes ☒ No ☐
(check one)Defendant No. 1 Correction officer Charles GuthrieDefendant No. 2 Correction officer Asantewa K. TullochDefendant No. 3 Correction Sergeant Jose CandelarioDefendant No. 4 Correction officer AlexanderDefendant No. 5 Nurse Elizabeth Pennisi
SEE Attached I

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. No addresses should be included here.)

I. Parties in this complaint:

List your name, identification number, and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name Nyjee Boyd
ID # 15B2063
Current Institution Coxsackie Correctional Facility
Address P.O. Box 999, Coxsackie, NY 12061-0999

B. List all defendants' names, positions, places of employment, and the address where each defendant may be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Attached I

Defendant No. 6 SORC Regisford

Defendant No. 7 Micheal Capra (Supt. Sing Sing Corr Fac)

Defendant No. 8 Elaine Velez (Deputy Supt. of programs)

Defendant No. 9 C.O. Marsico

Defendant No. 10 C.O. London

Defendant No. 11 Sgt. Martinez

Defendant No. 12 C.O. Gonzalez

Defendant No. 13 Sgt. Gonzalez

Defendant No. 14 C.O. Lowe

Defendant No. 15 C.O. Vasquez

Defendant No. 1 Name Charles Guthrie Shield # _____
 Where Currently Employed Sing Sing Correctional Facility
 Address 354 Hunter St, Ossining, NY 10562

Defendant No. 2 Name Asantewa K. Tulloch Shield # _____
 Where Currently Employed Sing Sing Correctional Facility
 Address 354 Hunter St, Ossining, NY 10562

Defendant No. 3 Name Jose Candelario Shield # _____
 Where Currently Employed Sing Sing Correctional Facility
 Address 354 Hunter St, Ossining, NY 10562

Defendant No. 4 Name Alexander Shield # _____
 Where Currently Employed Sing Sing Correctional Facility
 Address 354 Hunter St, Ossining, NY 10562

Defendant No. 5 Name Elizabeth Pennisi Shield # _____
 Where Currently Employed Sing Sing Correctional Facility
 Address 354 Hunter St, Ossining, NY 10562

SEE Attached I\$

II. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. In what institution did the events giving rise to your claim(s) occur? Sing Sing Correctional Facility

B. Where in the institution did the events giving rise to your claim(s) occur? HBB Marshall Bridgeport

C. What date and approximate time did the events giving rise to your claim(s) occur? 5:30 pm

Attached II

Defendant No. 6 Name Marcia N. Regisford shield#
where Currently Employed Sing Sing Correctional Facility
Address 354 Hunter St, Ossining, NY 10562

Defendant No. 7 Name Micheal Capra shield#
where Currently Employed Sing Sing Correctional Facility
Address 354 Hunter St, Ossining, NY 10562

Defendant No. 8 Name Elaine Velez shield#
where Currently Employed Sing Sing Correctional Facility
Address 354 Hunter St, Ossining, NY 10562

Defendant No. 9 Name Vito G. Marsico shield#
where Currently Employed Sing Sing Correctional Facility
Address 354 Hunter St, Ossining, NY 10562

Defendant No. 10 Name Randy D. London shield#
where Currently Employed Sing Sing Correctional Facility
Address 354 Hunter St, Ossining, NY 10562

Defendant No. 11 Name Leon K. Lowe shield#
where Currently Employed Sing Sing Correctional Facility
Address 354 Hunter St, Ossining, NY 10562

Attached #

Defendant No. 12 Name Felix Santiago Vasquez shield#
where currently employed Sing Sing Correctional Facility
Address 354 Hunter St, Ossining, NY 10562

Defendant No. 13 Name shield#
where currently employed
Address

Defendant No. 14 Name shield#
where currently employed
Address

Defendant No. 15 Name shield#
where currently employed
Address

Claim #1 Defendants: C.O. Guthrie, C.O. Alexander, Sgt. Candelario, C.O. Tulloch

D. Facts: On the date of March, 29, 2022 at approx 5:30pm of HBB Marshall Bridgeport, I was leaving the Marshall upon leaving, while walking through the "mg", ~~dispute~~ near C.O. Tulloch directed C.O. Guthrie to place me on the wall for a Pat-Frisk, Sgt. Candelario and C.O. Alexander were also present within a couple feet. C.O. Guthrie then directed me to submit to a pat-frisk, I complied with all orders by placing my hands on the wall. C.O. Guthrie began to yell stating "You thought that Grievance shit was going to work" he then abruptly struck me with a closed fist to the side of my face, Sgt. Candelario, C.O. Tulloch, and C.O. Alexander responded by also striking me with closed fist punches to the head and upper body of me, I collapsed to the floor not resisting, and placed my hands behind my back, I was continuously kicked ~~the~~ by the defendants and struck repeatedly. Sgt. Candelario then placed cuffs on me C.O. Tulloch began to kick me in my face, ~~breaking~~ breaking my front tooth and deaf in my left ear. The other defendants continued to kick me and strike me with closed fist while cuffed face down on the floor. While being assaulted C.O. Tulloch yelled "Talk that shit now"

III. Injuries:

If you sustained injuries related to the events alleged above, describe them and state what medical treatment, if any, you required and received. I sustained a broken front tooth, severe pain in my lowerback, neck, and face. I also am unable to hear out of my left ear. I also experience flashbacks, loss of sleep, loss of appetite, and anxiety.

IV. Exhaustion of Administrative Remedies:

The Prison Litigation Reform Act of 1995, 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." Administrative remedies are also known as grievance procedures.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?
Yes ☒ No ☐

"Bitch Nigga", "write a Grievance Now"! After the assault Sgt. Candelario escorted me to medical, while being escorted Sgt. Candelario stated "It's nothing personal you disrespected my staff." Upon arriving to medical Sgt. Candelario directed Nurse Elizabeth Pennisi the evaluating Nurse don't report the swelling to my eye and face, and the only injury to be reported is the swollen lip, which I complained pain in my left ear and severe pain in my lowerback, Neck and left shoulder. Those complaints were ignored and was directed back to my cell without any further medical treatment. On the date of 3-20-22 at approx: 7:00PM C.O. Tulloch was assigned to the phone post in B-Block yard, while entering the yard, I placed my I.D. in the phone box, which my I.D. inadvertently knocked the pile of phone I.D.'s, C.O. Tulloch grabbed my I.D. and threw it at me and stated "Nigga you not getting on the phone, anytime, I work this Post". The Sgt. was called to the yard, which Sgt. Candelario directed back to my cell advising me my Rec was terminated.

Constitutional violations: 8th Amendment Cruel Unusual Punishment, denial of medical treatment, 1st Amendment Retaliation.

The relief I am seeking for this claim:

\$100,000 Compensatory damages and \$150,000
Punitive damages against C.O. Tulloch.

\$100,000 Compensatory damages and \$150,000
Punitive damages against C.O. Guthrie

\$100,000 Compensatory damages and \$150,000
Punitive damages against C.O. Alexander

\$100,000 Compensatory damages and \$150,000
Punitive damages against Sergeant Candelario

\$50,000 Compensatory damages and \$75,000 punitive
damages against Nurse Pennisi

Total Compensatory = \$450,000

Total Punitive = \$675,000

Second ClaimDefendants: SORC Regisford

Description of Incident: On the date of 3/30/22 the plaintiff was served with a Tier III disciplinary misbehavior report charging him with 104.13-Creating a disturbance, 106.10-Direct Order, 104.11-Violent Conduct, 115.10 Search/Frisk, and 118.22-unhygienic Act.

On the date of 4-4-22 a hearing was conducted by SORC Regisford at the hearing I gave testimony indicating that I was assaulted by The Author of the "mbr", C.O. Tulloch, C.O. Alexander, and Sgt. Candelario, I testified that when C.O. Guthrie placed me on the wall for a pat-frisk staff began to assault me, in retaliation for a incident that occurred on 3-20-22 with C.O. Tulloch. At the hearing I requested C.O. Tulloch, C.O. Alexander, C.O. Guthrie, Sgt. Candelario as a witness. SORC Regisford improperly denied the witnesses with no rational basis in violation of 7NYCRR Chapter V § 254.5, which the plaintiff objected and also objected to SORC Regisford presiding over such hearing due to her not being a impartial hearing officer in violation of 7NYCRR chapter V.

I also requested to introduce documentary evidence such as grievance that, I filed against C.O. Tullach on 3-20-22, which was filed never filed by the grievance office in a attempt to cover-up C.O. Tullach misconduct. The hearing was adjourned until 4-12-22. SORC Regisford denied all staff witnesses after, I requested them again and didn't issue me a witnesses refusal form, I again ask SORC Regisford to recuse herself, which she continued to cut me off while making my objections.

SORC Regisford then found me Guilty of all charges and imposed the following sanctions 180 days loss of Rec, loss of Packages, loss of Commissary, 60 days loss of phone and 30 days loss of visits. As a result of these sanctions I was deprived all outside activities from march 29, 2022 to may 18, 2022 and wasn't afforded 1 hour of outside physical activity's, I was denied package privileges from march 29, 2022 to may 18, 2022, I was denied Commissary privileges from march 29, 2022 to may 18, 2022, and was denied phone privileges from march 29 to may 18, 2022 and denied visits from march 29, 2022 to April 29, 2022, As a result I appealed SORC Regisford disposition on the grounds she was not impartial hearing officer, she improperly denied relevant witnesses,

She Failed to allow me to introduce documentary evidence. On May 18, 2022 The Director of Special housing unit reversed the disciplinary determination. as a result the plaintiff suffered depression, loss of weight, loss of sleep, due to me not having no contact with family and being deprived of exercise. SORC Regisford Violated my due process rights to call witnesses, to introduce documentary evidence, and to be a impartial hearing officer.

See Exhibit A

Constitutional violation: 14th Amendment due process and 8th Amendment Cruel Unusual punishment.

The relief I am seeking for this claim is:

\$25,000 Compensatory damages \$50,000 Punitive damages against SORC Regisford

Third Claim

Defendants: Michael Capra (Superintendent) /
Elaine Velez Deputy Supt. of programs

Description of incident: On the date of 3/21/22, I was issued a "mbr" for 113.24 Drug use on the date of 3-31-22 a disposition was rendered finding me guilty which 25 days loss of Rec was imposed from start date 3/31/22 to 4/25/22 See Exhibit A. while Confined for those sanctions, I was not provided one hour of outside recreation, due to the policy Michael Capra and Elaine Velez implemented at Sing Sing Corr. Fac. On the date of 3/30/22, I was issued a "mbr" for 104.11 Violent Conduct, 104.13 Creating a disturbance, 118.22 Unhygienic Act, 106.10 Direct order, and 115.10 refuse search or frisk, on the date of 4/12/22 I was found guilty on all charges the penalty of loss of Rec was imposed from start date 4/12/22 to 10/9/22, while Confined for such sanction I was denied one hour of outside recreation On the date of 4/18/22 I was issued a "mbr" for 113.33 Drug possession, Drug Distribution, and 114.10 -Smuggling. a disposition was rendered finding me guilty which 60 days loss of Rec was imposed from 10/22/22 to 12/21/22. see exhibit A

These sanctions existed so I left Sing Sing Corr. Fac. on 6-30-22. So in total I was denied all means of outside physical activities for one hour for 90 days total and when I had a assigned program, I was denied my work assignment in retaliation for filing grievances. See exhibit B. I was unable to exercise in my cell due to the small space, this caused me to become depressed, loss of sleep, and loss of weight. Michael Capra (Superintendent) and Elaine Velez (Dept. Supt of programs) implemented a informal policy, custom, and practice at Sing Sing Corr. Fac. that denied the incarcerated individuals at Sing Sing Corr. Fac. who were serving a sanction of loss of Rec, one hour of outside physical activities ~~despite~~ despite a I/I being ~~not~~ employed or having a program this policy was enforced by Sing Sing Corr. Fac. supervisors and resulted with me being denied one hour of ~~outside~~ ~~exercise~~ outside exercise.

Constitutional violations: 8th Amendment Cruel Unusual Punishment, Conditions of Confinement

The relief I am seeking for this claim is:

\$25,000 Compensatory damages, \$35,000

Punitive damages against Michael Capra

\$25,000 Compensatory damages, \$35,000

Punitive damages against Elaine Velez

Total Compensatory = \$50,000

Total Punitive = \$70,000

Fourth Claim

Defendants: C.O. Asantewa N. Tulloch

Description of incident: On the date of ~~April~~^{March} 20, 22, I wrote a grievance against C.O. Tulloch, because on that date at approx: 6:45 PM C.O. Tulloch was assigned to the B-Block phone post at Sing Sing Corr. Fac. while putting my I.D. with the other phone I.D.'s the other I.D.'s inadvertently fell over. C.O. Tulloch grabbed my I.D. and threw it and stated "anytime, I work your not getting on the phone" Sgt. Candelario approached me subsequently after and told me REC was terminated and I was to return to my cell, I complied with such orders. I wrote a grievance the same day. On the date of March 29, 2022 while leaving B-Block mess hall I was assaulted by C.O. Tulloch see Claim #1.

Constitutional violation: 8th Amendment and 1st Amendment Constitutional Right Cruel unusual punishment and retaliation.

The relief I am seeking for this claim is:

\$25,000 ag compensatory damages \$50,000 Punitive damages.

Fifth Claim

Defendant: C.O. Charles Guthrie

Description of incident: On the date of March 8th, 2022, C.O. Charles Guthrie assaulted me with several other staff for a grievance I wrote against C.O. Tulloch. See Claim #1.

Constitutional violation: 8th Amendment and 1st Amendment Constitutional right.

The relief I am seeking for this claim:
\$100,000 Compensatory damages, \$150,000
Punitive damages

Sixth Claim:

Defendants: C.O. Alexander

Description of incident: On the date of March 29, 2022, I was assaulted by C.O. Alexander for filing a grievance against C.O. Tulloch. See Claim #1

Constitutional violations: 8th and 1st Amendment of the Constitution.

The relief I am seeking is:

\$100,000 Compensatory damages, \$150,000 Punitive damages.

Seventh Claim:

Defendant: Sergeant Jose Candelario

Description of incident: On the date of March 29, 2022 Sergeant Candelario participated in assault against me with several other staff by repeatedly kicking and punching me. Sgt. Candelario made no attempt to prevent such assault and actually encouraged the assault by participating in it. See Claim #1.

Constitutional violation: 8th Amendment Cruel unusual punishment, failure to supervise, failure to maintain safety, failure to train, 1st Amendment retaliation, Access to courts. OF Constitution of United States.

The relief I am requesting is:

\$100,000 Compensatory damages, \$150,000 Punitive damages.

Eighth ^{Claim} Amendment

Defendants: Elizabeth Pennisi (Nurse)

Description of incident: On the date of March 29, 2022, I was assaulted by staff. I was escorted to medical after the assault and Elizabeth Pennisi was the evaluating Nurse. I complained of pain in my left shoulder, left ear, and lower back and Neck. Those complaints were ignored and I wasn't provided any medical treatment.

Constitutional violations: 8th Amendment
Cruel Unusual Punishment denial of medical treatment.

The relief I am requesting is: \$50,000 compensatory damages, \$75,000 Punitive damages

Ninth Claim

Defendants: C.O. Marsico, C.O. London,
Sgt. Martinez, C.O. Gonzalez, Sgt. Gonzalez

Description of incident: On the date of June 7, 2022 at approx. 8:30Pm while returning from the medication run, I was walking down B-Block Q-Company to return to my Cell, when Sgt. Gonzalez directed C.O. London to pat-frisk me and directed C.O. Gonzalez to pat-frisk I/I Greene. Prior to being Pat-frisked C.O. London stated "Whats this grievance about that you have against C.O. Marsico" I stated I wrote such grievance due to Marsico destroying several items in my Cell during a Cell Search. C.O. London then stated "You know where you at, we are in Sing Sing if you havent noticed we do what we want" he then directed me to step further back while on the wall. C.O. London then reached and stuck his hand inside my boxers grabbing my testicles, he then stated "Dont move Boyd" I stated "that is my testicles" he then stated "If you come off the wall we will use force on you" he then continued to manipulate my testicles and stated "this what happens when

you be stupid and write officers up" During the pat frisk Sgt. Gonzalez, C.O. Marsico, ~~C.O. London~~, and Sgt. Martinez was surrounding me and witnessed and observed the incident. C.O. London then directed me back to my housing location. I notified Office Special Investigations the following day OSI #294425, SEE EXHIBIT C

Constitutional violations: 8th Amendment
Cruel unusual punishment, 1st Amendment
retaliation

The relief I am requesting is:

\$250,000 Compensatory damages and

\$350,000 Punitive damages against C.O. London

\$100,000 Compensatory damages and \$200,000
Punitive damages against C.O. Marsico

\$100,000 Compensatory damages and \$200,000
Punitive damages against Sgt. Martinez

\$100,000 Compensatory damages and \$200,000
Punitive damages against C.O. Gonzalez

\$100,000 Compensatory damages and \$200,000
Punitive damages against Sgt. Gonzalez

Total Compensatory damages = \$650,000

Total Punitive damages = \$1,150,000

Tenth Claim

Defendants: C.O. Marsico, C.O. London, C.O. Gonzalez, ~~Sgt. Gonzalez~~ Sgt. Gonzalez, C.O. Lowe

Description of incident: On the date of 6-13-22 at approx. 8:30 AM C.O. Marsico and C.O. Gonzalez entered my cell also present outside my cell was C.O. London, C.O. Lowe, upon entering my cell C.O. Marsico directed me to strip I complied and both Marsico and C.O. Gonzalez, began to chant "Take it off"! while being strip frisked C.O. Marsico directed me to bend over at the waist, I complied which C.O. Marsico kept telling me to bend further and further over despite having a visual of my rectum area he then stated "look at the ass on that" He then stated "Since you to be a dick play with your Dick" I then stated I would like to speak to a area supervisor and C.O. Marsico directed me to get dress and destroyed several items during the cell search. I requested to speak to the area supervisor after the search I spoke to Sgt. Gonzalez and told him what occurred he stated "I Authorized the search and far as I'm concerned I didn't see anything stop writing complaints make it easier on yourself". See EXHIBIT C

Constitutional violations: 8th Amendment
Cruel unusual punishment, 1st Amendment
retaliation.

The relief I am requesting is:

\$100,000 ^{compensatory} Punitive damages and \$200,000
Punitive damages against C.O. London

\$250,000 Compensatory damages and \$350,000
Punitive damages against C.O. Marsico

\$100,000 Compensatory damages and \$200,000
Punitive damages against C.O. Gonzalez

\$100,000 Compensatory damages and \$200,000
Punitive damages against Sgt. Gonzalez

\$100,000 Compensatory damages and \$200,000
Punitive damages against C.O. Lowe

Total Compensatory = \$650,000

Total Punitive = \$1,150,000

Eleventh Claim

Defendants: C.O. Lowe, C.O. Vasquez

Description of Incident: On the date of 4-6-22 at approx: 9:30 AM C.O. Lowe and C.O. Vasquez Conducted a Cell Search on my Cell, while conducting such search I asked C.O. Lowe, what kind of search was being conducted he stated "do you want me to spray you" as he removed his pepper spray and came closer towards me he further stated "Cause if you want me to spray you I will." He also stated "Stop writing grievances and we won't cross this path" C.O. Lowe and Vasquez then proceeded to destroy my personal property and took items that were placed on the Contraband receipt.

Constitutional violation: 1st Amendment retaliation

The relief I am requesting:

\$10,000 Compensatory damages and \$15,000 Punitive damages against C.O. Lowe

\$10,000 Compensatory damages and \$15,000 Punitive damages against C.O. Vasquez

Total Compensatory = \$20,000

Total Punitive = \$30,000

If YES, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s). Sing Sing Correctional Facility

B. Does the jail, prison or other correctional facility where your claim(s) arose have a grievance procedure?

Yes ☒ No ☐ Do Not Know ☐

C. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose cover some or all of your claim(s)?

Yes ☒ No ☐ Do Not Know ☐

If YES, which claim(s)? 8th Amendment and 1st Amendment of Constitution of United States.

D. Does the grievance procedure at the jail, prison or other correctional facility where your claim(s) arose not cover some of your claim(s)?

Yes ☐ No ☒ Do Not Know ☐

If YES, which claim(s)?

E. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose?

Yes ☒ No ☐

If NO, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

Yes ☐ No ☐

F. If you did file a grievance, about the events described in this complaint, where did you file the grievance? Sing Sing Corr. Fac. Grievance Clerk

1. Which claim(s) in this complaint did you grieve? All claims

2. What was the result, if any? The Grievance Supervisor failed to respond in accordance with Grievance directive.

3. What steps, if any, did you take to appeal that decision? Describe all efforts to appeal to the highest level of the grievance process. I wrote to the Grievance Supervisor requesting to appeal to the Superintendent and CORC, grievance supervisor failed to respond.

G. If you did not file a grievance, did you inform any officials of your claim(s)?

Yes ☒ No ☐

1. If YES, whom did you inform and when did you inform them? _____

SEE EXHIBIT C

2. If NO, why not? _____

I. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies. See Attached Exhibits

Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.

V. Relief:

State what you want the court to do for you. Award the plaintiff
punitive damages in the amount of \$3,700,000
and compensatory damages in the amount of
\$2,220,000. Total Amount = \$5,920,000

VI. Previous lawsuits:

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes ☐ No ☒

B. If your answer to A is YES, describe each lawsuit in questions 1 through 7 on the next page. (If

there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to this previous lawsuit:

Plaintiff _____

Defendants _____

2. Court (if federal court, name the district; if state court, name the county) _____

3. Docket or Index number _____

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit _____

6. Is the case still pending? Yes ___ No ___

If NO, give the approximate date of disposition _____

7. What was the result of the case? (for example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

On
other
claims

D. Have you filed other lawsuits in state or federal court otherwise relating to your imprisonment?

Yes ☒ No ___

E. If your answer to D is YES, describe each lawsuit in questions 1 through 7 on the next page. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same format.)

1. Parties to this previous lawsuit:

Plaintiff Nykee L. Boyd

Defendants Dana J. Copeland

2. Court (if federal court, name the district; if state court, name the county) _____

Western District of New York

3. Docket or Index number 18-CV-6302

4. Name of Judge assigned to your case _____

5. Approximate date of filing lawsuit: . 2018

6. Is the case still pending? Yes ☒ No ___

If NO, give the approximate date of disposition _____


7. What was the result of the case? (for example: Was the case dismissed? Was there judgment in your favor? Was the case appealed?) _____

Signed this 18 day of September, 2022 I declare under penalty of perjury that the foregoing is true and correct.

Signature of Plaintiff

Inmate Number

Mailing address


15B2063
Coxsacke Corr. Fac.
P.O. Box 999
Coxsacke, NY 12036-0999

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint and provide their inmate numbers and addresses.

I declare under penalty of perjury that on this 18 day of September, 2022 I will deliver this complaint to prison authorities to be mailed to the *Pro Se* Office of the United States District Court for the Southern District of New York.

Signature of Plaintiff



United States District Court
District of New York

PRISONER AUTHORIZATION

Mailed to Plaintiff by the Court on this date: _____

RE: Nyree L. Boyd - v - C.O. Tulloch
(Enter the full name of the plaintiff(s).) (Enter the full name of the defendant(s).)

NOTICE IS HEREBY GIVEN THAT THIS ACTION WILL BE DISMISSED UNLESS PLAINTIFF COMPLETES AND RETURNS THIS AUTHORIZATION FORM TO THIS COURT WITHIN FORTY-FIVE (45) DAYS FROM THE DATE OF THIS NOTICE.

The Prison Litigation Reform Act ("PLRA" or "Act") amends the *in forma pauperis* statute (28 U.S.C. § 1915) and applies to your case. Under the PLRA, you are required to pay the full filing fee when bringing a civil action if you are currently incarcerated or detained in any facility. If you do not have sufficient funds in your prison account at the time your action is filed, the Court must assess and collect payments until the entire filing fee of \$350 has been paid, no matter what the outcome of the action.

SIGN AND DATE THE FOLLOWING AUTHORIZATION:

I, Nyree L. Boyd (print or type your name), request and authorize the agency holding me in custody to send to the Clerk of the United States District Court for the Southern District of New York, a certified copy of my prison account statement for the past six months. I further request and authorize the agency holding me in custody to calculate the amounts specified by 28 U.S.C. § 1915(b), to deduct those amounts from my prison trust fund account (or institutional equivalent), and to disburse those amounts to the United States District Court for the Southern District of New York. This authorization shall apply to any agency into whose custody I may be transferred.

I UNDERSTAND THAT BY SIGNING AND RETURNING THIS NOTICE TO THE COURT, THE ENTIRE COURT FILING FEE OF \$350 WILL BE PAID IN INSTALLMENTS BY AUTOMATIC DEDUCTIONS FROM MY PRISON TRUST FUND ACCOUNT EVEN IF MY CASE IS DISMISSED.

9-18, 2022
Date Signed


Signature of Plaintiff

N.Y.S.I.D. # 15B2063

Local Jail/Facility I.D. # _____

Federal Bureau of Prisons I.D. # _____

EXHIBIT A

32 of 97

Sind Sind

NAME OF INCARCERATED INDIVIDUAL (Last, First) • NOMBRE DEL INDIVIDUO ENCARGELADO (Apellido, Nombre)		DIN	HOUSING LOCATION • CELDA
M. Boyd		# 15B2063	F-53
2. LOCATION OF INCIDENT • LUGAR DEL INCIDENTE		INCIDENT DATE • FECHA	INCIDENT TIME • HORA
HBB Mcc. Hull Bridge		3/29/22	6:29 pm
3. RULE VIOLATION(S) • VIOLACION (ES)			
104.13 Create Disturbance		115.10 Search/Arrest	
106.10 Direct Order		115.22 Unlawful Act	
121.11 Violent Conduct			
4. DESCRIPTION OF INCIDENT • DESCRIPCION DEL INCIDENTE			
<p>On the above date and approximate time 6:29pm, while assigned to HBB bridge during show I observed a bulge in T/E Boyd's left pocket. I questioned T/E Boyd about contents in his pocket. He replied don't worry about my pocket. I ordered Boyd to put his hand all the way back. I/T Boyd abruptly came forward and turned facing me. At this time I was necessary to prevent assault and gun control. I used force in the form of a baton held to Boyd to the ground while on his stomach. Boyd was All Time Jones me ceased. After separating myself from Boyd, Boyd was under escort. He then turned and ran in my direction. The subject did not touch me.</p>			
REPORT DATE • FECHA	REPORTED BY • REPORTADO POR	SIGNATURE • FIRMA	TITLE • TITULO
3/29/22	W. C. Cuthbert	C. Cuthbert	C. Cuthbert
5. ENDORSEMENTS OF OTHER EMPLOYEE WITNESSES (If any)		SIGNATURES:	
ENDOSOS DE OTROS EMPLEADOS TESTIGOS (si hay)		FIRMAS:	
		1. Sgt. J. King / 1st Officer	
		served by 1013 Thompson Street	

097116

DATE AND TIME SERVED UPON INCARCERATED INDIVIDUAL	NAME AND TITLE OF SERVER

FECHA Y HORA DADO AL INDIVIDUO ENCARCELADO _____ NOMBRE Y TITULO DEL QUE ENTREGA _____

You are hereby advised that no statement made by you in response to the charges or information derived therefrom may be used against you in a criminal proceeding. ♦ Por este medio se le informa que no se puede usar ninguna declaración hecha por usted como respuesta al cargo o la información derivada de ella en una demanda criminal.

10

REVIEWING OFFICER (DETACH BELOW FOR VIOLATION HEARING ONLY)

♦ You are hereby notified that the above report is a formal charge and will be considered and determined at a hearing to be held. ♦ Por este medio se le notifica que el informe anterior es un cargo formal el cual se considerará y determinará en una audiencia a celebrarse.

The incarcerated individual shall be permitted to call witnesses provided that so doing does not jeopardize institutional safety or correctional goals. ♦ Se le permitirá al individuo encarcelado llamar testigos con tal de que al hacerlo no pondrá en peligro la seguridad de la institución ni las metas del Departamento.

restricted pending a hearing for this misbehavior report, you may write to the Deputy Superintendent for Security or their designee prior to the hearing to make a statement on the need for continued prehearing confinement. ♦ Si está restringido pendiente a una audiencia por este informe de mal comportamiento, puede escribirle al Diputado del Superintendente para Seguridad o su representante antes de la audiencia para que haga una declaración acerca de la necesidad de continuar bajo confinamiento; previo a la audiencia.

FORM 2178A (9/11)

STATE OF NEW YORK - DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

APPEAL FORM TO COMMISSIONER SUPERINTENDENT'S HEARING*

Print or Write Carefully

DIN 1582063	LAST NAME Bald	FIRST NAME Nyree
CURRENT FACILITY Sing Sing	HEARING FACILITY Sing Sing	HEARING DATE 7-12-22

THE SPECIFIC GROUNDS FOR MY APPEAL ARE AS FOLLOWS:

At the hearing, I presented testimony alleging the misbehavior report was fabricated and I was assaulted by C.O. Antwan K. Tulloch, C.O. Guthrie, C.O. Alexander, and Sgt. Jose Cardelario. I advised the hearing officer I never refused any direct orders by Guthrie and even though I complied with the Pat. Frisk, the following mentioned staff assaulted me and fabricated the misbehavior. I requested C.O. Tulloch, C.O. Guthrie, C.O. Alexander and Sgt. Jose Cardelario, as a witness who was all present for the incident, which I requested them as a witness and was improperly denied and wasn't given a witness refusal form specifying the reasons for such denial, which these testimony would've been relevant to the hearing because I could've question them in regards to the incident. I also pointed out if Body holds as alleged in the report was used how did it sustain impacts to my face as documented in the U.I. report which the officers testimony would've been relevant. I requested I/O Cesar Figueroa #15-A-4660 and Booth M #18-A-3507 as a witness which they were present for the assault. The hearing was adjourned to call such witness, during adjournment the hearing officer began to discuss with Lt. D. Bynum

1 of 2

INMATE'S SIGNATURE

DATE

* Appeals must be submitted within 30 days of receipt of the disposition.

Mail the top (white) copy to: Director of Special Housing/Inmate Discipline, Central Office.

WITHIN OF THE COURT THE WITNESS, I CALLED TO TESTIFY WHICH
 STATED "CAN I JUST FIND HIM GUILTY AND DENY HIS WITNESS
 SHE ALSO ADVISED HIM OF THE U.I. REPORT, I PRESENTED AND
 HE DIRECTED HER TO CONFISCATE THE DOCUMENTS FROM ME.
 SHE ALSO STATED "WELL I'M STILL FINDING HIM GUILTY" UPON MY
 WITNESS ARRIVING AND RE-COMMENCEMENT OF THE HEARING
 I ATTEMPTED TO OBJECT TO THE OFF-RECORD CONVERSATION
 AND THAT THE HEARING OFFICER WAS BIAS WHICH THE HEAR-
 OFFICER INTERRUPTING ME ADVISING ME, I COULDN'T MAKE
 THOSE OBJECTIONS BECAUSE IT WASN'T RELEVANT TO THE HEARING
 AND REPEATEDLY INTERRUPTED ME FROM MAKING SUCH OBJECT-
 IONS, MY WITNESS TESTIFIED WHICH THEY CORROBORATED
 MY TESTIMONY THAT I WAS ASSAULTED BY THESE OFFICERS
 AFTER THEIR TESTIMONY, I OBJECTED TO THE JUSTIFICATION OF
 THE U.I. REPORT AND THE DENIAL OF THE OFFICERS, I
 REQUESTED AS WITNESSES. I ALSO OBJECTED TO NOT HAVING
 A IMPARTIAL HEARING OFFICER AND OBJECTED TO THE
 DISPOSITION IMPOSING LOSS OF VISITS FOR 30 DAYS, BECAUSE
 IT WASN'T VISIT RELATED AND LOSS OF PHONE 60 DAYS
 BECAUSE IT WASN'T PHONE RELATED. I ALSO OBJECTED TO
 THE DENIAL OF THE USE OF FORCE PHOTOGRAPHS OF ME,
 WHICH WOULD'VE FURTHER SHOWED MY INJURIES, WHICH
 DON'T CORROBORATE THE FORCE THAT WAS USED. THE HEARING
 OFFICER FOUND ME GUILTY ON ALL CHARGES AND IMPOSED 180 DAYS
 LOSS OF REC, LOSS OF PACKAGES, LOSS OF COMMISSARI, 60 DAYS
 LOSS OF PHONE, 30 DAYS LOSS OF VISITS. THE HEARING OFFICER
 ALSO REFUSED TO CONSIDER MY MENTAL STATUS. THE DENIAL OF
 MY WITNESS VIOLATED MY 14th AMENDMENT RIGHT TO DUE PROCESS.
 AND THE PENALTY IMPOSED WAS HARSH AND EXCESSIVE AND
 THE EVIDENCE RELIED UPON DON'T SUPPORT THE CHARGES. I REQUEST
 THE HEARING BE REVERSED, MODIFIED, AND EXPUNGED FROM MY RECORD
 CC: DIRECTOR OF SPECIAL
 HOUSING / FILE ETC.

03/30/2022
DCP004NYS DEPT OF CORRECTIONS & COMMUNITY SUPERVISION
SUPERINTENDENT HEARING DISPOSITION RENDERED

PAGE 1

SING SING GN

TAPE NUMBER

#0692

DIN: 15B2063 NAME: BOYD, NYJEE

LOCATION: 0B-TN-53S

INCIDENT DATE & TIME: 03/29/2022 05:24 PM TIER 3

REVIEW DATE: 03/30/2022 BY: LT COUGHLIN, S A

DELIVERY DATE & TIME: 03/30/22 09:10 AM BY: CO THOMPSON, D D

HEARING START DATE & TIME: 4/4/22 9:05 AM BY: SURE Registrar

HEARING END DATE & TIME: 4/12/22 2:43 pm BY: SURE Registrar

WAS THERE NEED FOR A FORMAL MENTAL HEALTH/INTELLECTUAL CAPACITY ASSESSMENT? (Y) N

DOES THIS MISCONDUCT MEET THE CRITERIA FOR WORKPLACE VIOLENCE? (Y) N

CHARGE

NUMBER DESCRIPTION OF CHARGES REPORTED BY DISPOSITION

104.11 VIOLENT CONDUCT CO GUTHRIE, C E G

104.13 CREATING A DISTURBANCE G

118.22 UNHYGIENIC ACT G

106.10 REFUSING DIRECT ORDER G

115.10 REFUSE SEARCH OR FRISK G

ANY GUILTY DISPOSITION WILL RESULT IN A MANDATORY DISCIPLINARY SURCHARGE IN THE AMOUNT OF FIVE(\$5.00) DOLLARS BEING ASSESSED AUTOMATICALLY AGAINST THE INMATE. SANCTION DATES BELOW ARE SUBJECT TO REVIEW/CHANGE, AND WILL BE CONSECUTIVELY ADDED TO ANY SIMILAR CURRENT SANCTION. IN ADDITION, WHENEVER A CONFINEMENT PENALTY IS BEING SERVED AND A MORE RESTRICTIVE CONFINEMENT PENALTY IS IMPOSED AS A RESULT OF ANOTHER HEARING, THE MORE RESTRICTIVE PENALTY SHALL BEGIN TO BE SERVED IMMEDIATELY, AND ANY TIME OWED ON THE LESS RESTRICTIVE PENALTY SHALL BE SERVED AFTER COMPLETION OF THE MORE RESTRICTIVE PENALTY PERIOD.

PENALTY CODE	DESCRIPTION	PENALTY MO	START DATE	RELEASE DATE	SUSPEND MO DAYS	DEFERRED MO DAYS	RESTITUTION \$\$\$\$. cc
D000	Loss of Rec	180d	4/12/22	10/9/22	0	0	0
E000	Loss of Package	180d	4/12/22	10/9/22	0	0	0
F000	Loss of Comm	180d	4/12/22	10/9/22	0	0	0
G000	Loss of Phone	60d	4/12/22	6/11/22	0	0	0
L000	Loss of Visitation	30d	4/12/22	5/12/22	0	0	0

03/30/2022
DCP004NYS DEPT OF CORRECTIONS & COMMUNITY SUPERVISION
SUPERINTENDENT HEARING DISPOSITION RENDERED

PAGE 2

DIN: 15B2063 NAME: BOYD, NYJEE

HEARING DATE: 4/10/22

VISITOR NAME	RELATIONSHIP	LAST VISIT	VISITS PRIOR YR			
PENALTY	PENCODE	MO DAY	START DATE	RELEASE DATE	SUSPEND	DEFERRED
ALL						
NO VISITS:	<u>000</u>	<u>30 days</u>	<u>4</u>	<u>12</u>	<u>5</u>	<u>5</u>
NONCONTACT:						
BEATY, BRIANNA M	FRIEND		12/10/2021		3	
NO VISITS:						
NONCONTACT:						
BEATY, BRIANNA M	FRIEND		10/24/2021		2	
NO VISITS:						
NONCONTACT:						
PORCHEA, EVERSON I	SIBLING		08/02/2016		0	
NO VISITS:						
NONCONTACT:						
BROWN, CALDONIA	PARENT		12/11/2015		0	
NO VISITS:						
NONCONTACT:						
JACKSON, CONESHA M	COUSIN		12/11/2015		0	
NO VISITS:						
NONCONTACT:						
GRIMES, KAELEIGH L	FRIEND		08/08/2015		0	
NO VISITS:						
NONCONTACT:						
NO VISITS:						
NONCONTACT:						
NO VISITS:						
NONCONTACT:						
NO VISITS:						
NONCONTACT:						

03/30/2022
DCP004NYS DEPT OF CORRECTIONS & COMMUNITY SUPERVISION
SING SING GN. CORRECTIONAL FACILITY

PAGE 3

SUPERINTENDENT HEARING DISPOSITION RENDERED

DIN: 15B2063 NAME: BOYD, NYJEE

HEARING DATE: 4/10/22

INCIDENT DATE: 03/29/2022

TIME: 05:24 PM

TIER: 3

A. STATEMENT OF EVIDENCE RELIED UPON:

Evidence relied upon was the misthain report that stated you T/T Boyd questioned on security staff of the items in your left pocket. You replied "don't worry about what's in my pocket." You T/T Boyd was then ordered to put your hands on the wall for Pat Frisk. You T/T Boyd abruptly came off the wall and turned to the security staff. Due to you T/T Boyd removing your hands off the wall then facing the security staff, ~~and~~ to prevent any assault on security staff for your non-compliant behavior, force was necessary to gain compliance from you T/T Boyd.

03/30/2022
DCP004NYS DEPT OF CORRECTIONS & COMMUNITY SUPERVISION
SING SING GN CORRECTIONAL FACILITY

PAGE 4

SUPERINTENDENT HEARING DISPOSITION RENDERED

DIN: 15B2063 NAME: BOYD, NYJEE

HEARING DATE: 4/12/2022

INCIDENT DATE: 03/29/2022

TIME: 05:24 PM

TIER: 3

B. SPECIAL CONSIDERATIONS:

1. WHERE INMATE IS A JUVENILE, THE SANCTION HAS BEEN MITIGATED AS FOLLOWS:

N/A

2. IF AT ISSUE, HEARING OFFICER CONSIDERED INMATE'S MENTAL HEALTH AS FOLLOWS:

Yes, DMH testimony taken

3. IF AT ISSUE, INMATE'S INTELLECTUAL CAPACITY/SPECIAL EDUCATION STATUS AS FOLLOWS:

DMH testimony taken

C. ANY OTHER INDIVIDUAL MITIGATING OR AGGRAVATING CIRCUMSTANCES WERE CONSIDERED AS FOLLOWS (include how they weigh in favor of a less severe or more severe sanction):

Mitigating factors taken into consideration.
I/I Boyd has a history of act violating charges. DMH-testimony was also taken into consideration.

03/30/2022
DCP004NYS DEPT OF CORRECTIONS & COMMUNITY SUPERVISION
SING SING GN CORRECTIONAL FACILITY

PAGE 5

SUPERINTENDENT HEARING DISPOSITION RENDERED

DIN: 15B2063 NAME: BOYD, NYJEE

HEARING DATE: 4/12/22

INCIDENT DATE: 03/29/2022

TIME: 05:24 PM

TIER: 3

D. OTHER REASONS FOR DISPOSITION:

01- Preliminary report stating force was used in the form of a body hold to gain compliance. Club forced I/I to the ground on his stomach. Boyd became compliant after force was used.

E. SUPPLEMENTAL DATA ENTRY

1. IF INMATE FOUND GUILTY OF ASSAULT (100.10; 100.11; 100.12): N/A
 WAS WEAPON USED? ☐ (Y/N) WHAT TYPE? ☐
 DID AN INJURY OCCUR? ☐ (Y/N) SEVERITY (1-4)? ☐
2. IF INMATE FOUND GUILTY OF A SEX OFFENSE (101.10): N/A
 CHOOSE ONE: ☐ FORCE/ATT FORCE ☐ ENCOURAGE/SOLICIT ☐ CONSENSUAL
3. IF INMATE FOUND GUILTY OF THREATS (102.10): N/A
 CHOOSE ONE: ☐ NON-VIOLENT ☐ VIOLENT
4. IF INMATE FOUND GUILTY OF VIOLENT CONDUCT (104.11): X
 CHOOSE ONE: ☐ ASSAULT/ATT ASSAULT ☐ THREAT OF VIOLENCE ☒ ACT OF VIOLENCE
5. IF INMATE FOUND GUILTY OF DEMONSTRATION (104.12): N/A
 CHOOSE ONE: ☐ LEAD/ORGANIZED ☐ PARTICIPATED
6. IF INMATE FOUND GUILTY OF INTERFERENCE (107.10): N/A
 CHOOSE ONE: ☐ PHYSICAL ☐ VERBAL
7. IF INMATE FOUND GUILTY OF DRUG POSSESSION (113.25): N/A
 CHOOSE ONE: ☐ POSSESSION ONLY ☐ MAKE/DISTRIBUTE/SELL/EXCHANGE

03/30/2022
DCP004NYS DEPT OF CORRECTIONS & COMMUNITY SUPERVISION
SING SING GN CORRECTIONAL FACILITY

PAGE 6

SUPERINTENDENT HEARING DISPOSITION RENDERED

DIN: 15B2063 NAME: BOYD, NYJEE

HEARING DATE: 4/12/2022

INCIDENT DATE: 03/29/2022

TIME: 05:24 PM

TIER: 3

F. HISTORY/CONFINEMENT SANCTION GUIDELINE REVIEW

CHARGE	DESCRIPTION OF CHARGES	5 YEAR PRIORS	10 YEAR PRIORS
104.11	VIOLENT CONDUCT	5	8
104.13	CREATING A DISTURBANCE	12	16
118.22	UNHYGIENIC ACT	7	7
106.10	REFUSING DIRECT ORDER	20	25
115.10	REFUSE SEARCH OR FRISK	1	1

AT THE TIME OF THE HEARING, WAS THIS INMATE HOUSED IN A SHU CELL: ☐ YES ☒ NO☒ THE CONFINEMENT SANCTIONS IMPOSED ARE WITHIN THE PUBLISHED GUIDELINES

OR

☐ I HAVE IMPOSED CONFINEMENT SANCTIONS THAT HAVE DEPARTED UPWARD FROM THE PUBLISHED GUIDELINES, FOR THE FOLLOWING REASON(S) (choose up to three):

- ☐ OVERALL CLIMATE OF THE FACILITY
- ☐ SEVERITY OF OFFENSE
- ☐ LOCATION OF OFFENSE
- ☐ MANNER OFFENSE WAS COMMITTED
- ☐ RISK TO SECURITY
- ☐ RISK TO PERSONAL SAFETY
- ☐ PROPERTY DAMAGE - RESTITUTION
- ☐ DISCIPLINARY HISTORY
- ☐ OTHER

CARTICULATE BELOW THE INMATE'S PARTICULAR HIGH RISK BEHAVIORS OR OTHER FACTORS INDICATING NEED FOR CONFINEMENT EXCEEDING THE GUIDELINES TO ADDRESS A THREAT TO THE SAFETY OF STAFF OR INMATES):

N/A

03/30/2022
DCP004NYS DEPT OF CORRECTIONS & COMMUNITY SUPERVISION
SING SING GN CORRECTIONAL FACILITY

PAGE 7

SUPERINTENDENT HEARING DISPOSITION RENDERED

DIN: 15B2063 NAME: BOYD, NYJEE

HEARING DATE: 4/12/22

INCIDENT DATE: 03/29/2022

TIME: 05:24 PM

TIER: 3

G. PURPOSE(S) OF CONFINEMENT SANCTION IMPOSED (IF ANY) - SET FORTH ALL THAT APPLY:

1. INCAPACITATION (Include the specific behaviors that posed a threat to the safety of staff or other inmates):

N/A

2. DETERRENCE:

The sanctions imposed, it is hoped that you I/I Boyd use the time to think of your actions and make better decisions for the future. You I/I Boyd are to be familiar with DOCCS rules and regulations.

3. FAIRNESS:

N/A

03/30/2022
DCP004NYS DEPT OF CORRECTIONS & COMMUNITY SUPERVISION
SING SING CN CORRECTIONAL FACILITY

PAGE 8

SUPERINTENDENT HEARING DISPOSITION RENDERED

DIN: 15B2063 NAME: BOYD, NYJEE

HEARING DATE: 4/12/22

INCIDENT DATE: 03/29/2022

TIME: 05:24 PM

TIER: 3

H. REASON(S) FOR A SHU CONFINEMENT SANCTION IMPOSED (IF ANY) WHERE INMATE IS UNDER PRIOR CONFINEMENT OR IN A SHU-ALTERNATIVE PROGRAM (Must have a guilty determination of an offense listed in section 1 and clearly articulated in section 2 and/or 3 to impose a SHU confinement sanction on an inmate already serving a SHU sanction):

1. THE INMATE IS FOUND GUILTY OF ONE OR MORE SERIOUS OFFENSES AS FOLLOWS:

- | | | |
|--|--|--|
| <input type="checkbox"/> PENAL LAW OFFENSE | <input type="checkbox"/> SEX OFFENSE | <input type="checkbox"/> DIRECT ORDER (SERIOUS NATURE) |
| <input type="checkbox"/> ASSAULT ON INMATE | <input type="checkbox"/> FORCIBLE TOUCHING | <input type="checkbox"/> ESCAPE ITEMS |
| <input type="checkbox"/> ASSAULT ON STAFF | <input type="checkbox"/> STALKING | <input type="checkbox"/> POSSESSION EMPLOYEE PROPERTY |
| <input type="checkbox"/> ASSAULT ON OTHER | <input type="checkbox"/> THREATS | <input type="checkbox"/> SMUGGLING |
| <input type="checkbox"/> RIOTING | <input type="checkbox"/> BRIBERY/EXTORTION | <input type="checkbox"/> SEARCH/FRISK |
| <input type="checkbox"/> ESCAPE | <input type="checkbox"/> VIOLENT CONDUCT | <input type="checkbox"/> EXPLOSIVES |
| <input type="checkbox"/> WEAPON | <input type="checkbox"/> DEMONSTRATION | <input type="checkbox"/> ARSON |
| <input type="checkbox"/> FIGHTING | <input type="checkbox"/> GANGS | <input type="checkbox"/> UNHYGIENIC ACT |

2. THE ACT(S) OF MISBEHAVIOR DEMONSTRATE A THREAT TO SAFETY AS FOLLOWS:

N/A

3. THE INMATE HAS ENGAGED IN THE FOLLOWING REPEATED ACTS OF DISRUPTIVE MISBEHAVIOR DESPITE PRIOR ALTERNATIVE INTERVENTIONS AS SET FORTH BELOW:

N/A

03/30/2022
DCP004NYS DEPT OF CORRECTIONS & COMMUNITY SUPERVISION
SING SING GN CORRECTIONAL FACILITY

PAGE 9

SUPERINTENDENT HEARING DISPOSITION RENDERED

DIN: 15B2063 NAME: BOYD, NYJEE

HEARING DATE: 4/12/22

INCIDENT DATE: 03/29/2022

TIME: 05:24 PM

TIER: 3

I. REASON(S) FOR INVOKING REMAINING SHU CONFINEMENT SANCTIONS SUSPENDED UPON AN INMATE'S SUCCESSFUL COMPLETION OF A SHU-ALTERNATIVE PROGRAM (Must have a guilty determination of an offense listed in section 1 and clearly articulated in section 2 to impose the SUSPENDED SHU confinement sanction after successful completion of a SHU-alternative program):

1. THE INMATE COMMITTED A SERIOUS ACT OF MISBEHAVIOR AS SET FORTH BELOW:

<input type="checkbox"/> PENAL LAW OFFENSE	<input type="checkbox"/> SEX OFFENSE	<input type="checkbox"/> DIRECT ORDER (SERIOUS NATURE)
<input type="checkbox"/> ASSAULT ON INMATE	<input type="checkbox"/> FORCIBLE TOUCHING	<input type="checkbox"/> ESCAPE ITEMS
<input type="checkbox"/> ASSAULT ON STAFF	<input type="checkbox"/> STALKING	<input type="checkbox"/> POSSESSION EMPLOYEE PROPERTY
<input type="checkbox"/> ASSAULT ON OTHER	<input type="checkbox"/> THREATS	<input type="checkbox"/> SMUGGLING
<input type="checkbox"/> RIOTING	<input type="checkbox"/> BRIBERY/EXTORTION	<input type="checkbox"/> SEARCH/FRISK
<input type="checkbox"/> ESCAPE	<input type="checkbox"/> VIOLENT CONDUCT	<input type="checkbox"/> EXPLOSIVES
<input type="checkbox"/> WEAPON	<input type="checkbox"/> DEMONSTRATION	<input type="checkbox"/> ARSON
<input type="checkbox"/> FIGHTING	<input type="checkbox"/> GANGS	<input type="checkbox"/> UNHYGIENIC ACT

2. THE INMATE COMMITTED THE SAME OR SIMILAR VIOLATION AS THAT LEADING TO THE SUSPENDED SANCTION AS SET FORTH BELOW:

MA

J. SPECIAL INSTRUCTION ON VISITATION OR CORRESPONDENCE RESTRICTIONS, REFERRALS OR SPECIAL EVENT LOSS:

Loss of visit 30 days 4/12/22 - 5/12/22

YOU HAVE THE RIGHT TO APPEAL THIS TIER III DISPOSITION BY SENDING YOUR APPEAL TO THE COMMISSIONER'S OFFICE WITHIN 30 DAYS OF YOUR RECEIPT OF SUCH DISPOSITION:

I HAVE RECEIVED A COPY OF THIS HEARING DISPOSITION DATED: 4/12/22
 Refused, 4/12/22 8:43pm
 HEARING OFFICER SIGNATURE INMATE SIGNATURE DATE & TIME RECEIVED

SUCCESSFUL PRINT COMPLETION



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

To: Lt. C. Pinker

From: Sgt. J. Candelario

Subject: U.O.F # 22-030 Boyd, N #15B2063 (B-T-53)

Date: March 29, 2022

Sir,

At approximately 5:24pm on HBB Mess Hall Officer C. Guthrie observed a bulge in Incarcerated Individual Boyd, N #15B2063 Left front pocket. Officer Guthrie questioned Boyd as to the contents in his left front pocket. Boyd replied, "Don't worry about what's in my pocket". Officer Guthrie ordered Boyd to place his hands on the wall for a suspicious pat frisk. Boyd abruptly took his hands off the wall turning and facing Officer Guthrie. Officer Guthrie used a body hold forcing Boyd to the ground. Once on the ground on his stomach I/I Boyd became compliant and all force ceased, I applied mechanical wrists restraints to a compliant Boyd. Boyd was under escort, who then turned his head and spit towards Officer Guthrie, the saliva did not have contact with any staff.

Boyd was escorted to facility hospital E.R. for post use of force examination and examined by RN E. Pennisi who noted: swollen left side of upper lip, no other injuries. Use of force photographs were taken by me. I ordered Officer Guthrie to report to facility hospital E.R. For post use of force evaluation. ~~Officer Guthrie reported that Boyd was compliant and all force ceased.~~

~~Officer Guthrie reported that Boyd was compliant and all force ceased.~~ authorized the cell search of B-T-53 with no reportable contraband found. I/I Boyd was escorted back to his housing location without incident. Officer Guthrie authored a misbehavior report on the incident. Please find all pertinent documentation and photographs for your review.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "J. Candelario".
Sgt. J. Candelario

STATE OF NEW YORK - DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

WITNESS INTERVIEW NOTICE (For Superintendent's & Disciplinary Hearings)

Inmate Name (Print)

DIN

Correctional Facility

An inmate may call witnesses on his or her behalf provided their testimony is material, is not redundant, and doing so does not jeopardize institutional safety or correctional goals.

If permission to call a witness is denied, or if a requested witness testifies outside the presence of the inmate charged and/or if the inmate is not permitted to review the testimony of a witness, the reason for such determination must be recorded on this form and copies given to the inmate by the hearing officer and included in the hearing record.

Reference: Directive #4932, Sections 253.5 and 254.5.

Requested witness:

- ☐ Permission to call the requested witness is denied.
☐ Requested witness will testify outside inmate's presence.
☐ Inmate is not permitted to review requested witness's testimony.

Date:

Explanation:

Requested witness:

- ☐ Permission to call the requested witness is denied.
☐ Requested witness will testify outside inmate's presence.
☐ Inmate is not permitted to review requested witness's testimony.

Date:

Explanation:

Requested witness:

- ☐ Permission to call the requested witness is denied.
☐ Requested witness will testify outside inmate's presence.
☐ Inmate is not permitted to review requested witness's testimony.

Date:

Explanation:

Signature

Hearing Officer

Inmate

DIN

Date Received

Distribution: Original - Hearing Record Copy - Inmate

NEW YORK STATE
DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
THE HARRIMAN STATE CAMPUS - BUILDING 2
1220 WASHINGTON AVENUE
ALBANY, N.Y. 12226-2050

M E M O R A N D U M

TO: SUPERINTENDENT MICHAEL CAPRA
SING SING CORRECTIONAL FACILITY

FROM: A. RODRIGUEZ, DIRECTOR
SPECIAL HOUSING/INMATE DISCIPLINE

DATE: MAY 18, 2022

RE: REVERSAL OF SUPERINTENDENT'S HEARING/EXPUNCTION ORDER

<u>INMATE/NUMBER</u>	<u>DATE OF HEARING</u>	<u>DATE OF INCIDENT</u>
BOYD, NYJEE #15B2063	APRIL 12, 2022 BY SORC REGISFORD, M N @ SING SING C.F. TAPE #: 22-0692	MARCH 29, 2022

THE ABOVE-NOTED SUPERINTENDENT'S HEARING HAS BEEN REVERSED ON
MAY 18, 2022, FOR THE FOLLOWING REASON(S):

MENTAL HEALTH TESTIMONY NOT CONSIDERED AS REQUIRED BY DIRECTIVE
4932.

RECORDS CONTAINING REFERENCES TO THE ABOVE-NOTED SUPERINTENDENT'S
HEARING ARE TO BE EXPUNGED.

PLEASE OBTAIN ALL AVAILABLE RECORDS WITHIN 14 DAYS OF RECEIPT OF THIS
MEMORANDUM. AFTER ACCUMULATING SUCH RECORDS, PLEASE FORWARD THEM FOLLOWING
ESTABLISHED PROCEDURES.

DO NOT SEND TAPES - RETAIN ON FILE AND MARK AS EXPUNGED.

IF THE RECORDS ARE NOT AVAILABLE AT YOUR FACILITY, PLEASE ADVISE THIS
OFFICE AS SOON AS POSSIBLE.

CC: I.R.C., SING SING C.F.
EXPUNGEMENT FILE

NEW YORK STATE
DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
THE HARRIMAN STATE CAMPUS - BUILDING 2
1220 WASHINGTON AVENUE
ALBANY, N.Y. 12226-2050

REVIEW OF SUPERINTENDENT'S HEARING

NAME: BOYD, NYJEE

NO. 15B2063

HEARING FACILITY: SING SING

ON BEHALF OF THE COMMISSIONER AND IN RESPONSE TO YOUR RECENT
LETTER OF APPEAL, PLEASE BE ADVISED THAT YOUR SUPERINTENDENT'S HEARING OF
APRIL 12, 2022, HAS BEEN REVIEWED AND REVERSED ON MAY 18, 2022.

A. RODRIGUEZ
DIRECTOR, SPECIAL HOUSING/
INMATE DISCIPLINARY PROGRAM

CC: FACILITY SUPERINTENDENT
CENTRAL OFFICE FILES

APPEAL DECISION RENDERED PURSUANT TO SECTION 254.8 OF CHAPTER V AND
ELECTRONICALLY PRODUCED UPON THE AUTHORITY OF THE DIRECTOR OF SPECIAL
HOUSING/INMATE DISCIPLINE PROGRAM.

PAGE 1

TAPE NUMBER 13

LOCATION: OB-TN-53S

BY: LT BODGE, B J

BY: CO JACKSON, T A

BY: Lg. D. Spilman

BY: La. D. Spivey

CO CABAN, J

PENALTY CODE	DESCRIPTION	PENALTY MO DAYS	START DATE	RELEASE DATE	SUSPEND MO DAYS	DEFERRED MO DAYS	RESTITUTION \$\$\$\$. ##
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[illegible]

04/18/2022
DCP004NYS DEPT OF CORRECTIONS & COMMUNITY SUPERVISION
SUPERINTENDENT HEARING DISPOSITION RENDERED

PAGE 1

SING SING GN

TAPE NUMBER

33

DIN: 15B2063 NAME: BOYD, NYJEE

LOCATION: OB-TN-53S

SHU CELL INELIGIBLE

INCIDENT DATE & TIME:

04/15/2022

12:00 PM

TIER 3

REPORT DATE:

04/18/2022

REVIEW DATE:

04/18/2022

BY: LT PINKER, C J

DELIVERY DATE & TIME:

04/18/22

04:35 PM

BY: CO

JACKSON, T A

HEARING START DATE & TIME:

4/22/22

10:56 a

BY: DSHS

Jackson-Smith

HEARING END DATE & TIME:

4/22/22

BY: DSHS

Jackson-Smith

WAS THERE NEED FOR A FORMAL MENTAL HEALTH/INTELLECTUAL CAPACITY ASSESSMENT? Y / N

CHARGE
NUMBER

DESCRIPTION OF CHARGES

REPORTED BY

DISPOSITION

113.33

DRUG POSSESSION.

INV

ROSS, R J

guilty

113.34

DRUG DISTRIBUTION

not guilty

114.10

SMUGGLING

guilty

ANY GUILTY DISPOSITION WILL RESULT IN A MANDATORY DISCIPLINARY SURCHARGE IN THE AMOUNT OF FIVE(\$5.00) DOLLARS BEING ASSESSED AUTOMATICALLY AGAINST THE INMATE. SANCTION DATES BELOW ARE SUBJECT TO REVIEW/CHANGE, AND WILL BE CONSECUTIVELY ADDED TO ANY SIMILAR CURRENT SANCTION. IN ADDITION, WHENEVER A CONFINEMENT PENALTY IS BEING SERVED AND A MORE RESTRICTIVE CONFINEMENT PENALTY IS IMPOSED AS A RESULT OF ANOTHER HEARING, THE MORE RESTRICTIVE PENALTY SHALL BEGIN TO BE SERVED IMMEDIATELY, AND ANY TIME OWED ON THE LESS RESTRICTIVE PENALTY SHALL BE SERVED AFTER COMPLETION OF THE MORE RESTRICTIVE PENALTY PERIOD.

PENALTY CODE	DESCRIPTION	PENALTY MO DAYS	START DATE	RELEASE DATE	SUSPEND MO DAYS	DEFERRED MO DAYS	RESTITUTION \$\$\$\$. cc
D000	loss of 100	60 days	10/7/22	12/21/22			
E000	loss of 100	90	10/9/22	1/7/23			
F000	loss of 100	90	10/9/22	1/7/23			

EXHIBIT B



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM

TO: BOYD, N 15B2063 T-53
FROM: Q. Quick, Supervisor Incarcerated Grievance Program
SUBJECT: Grievance Complaint
DATE: 5/24/2022

Your complaint dated: 5/19/2022 code# 49 filed as grievance # 0624-22

titled: OFFICER DENIED I/I WORK ASSIGNMENT IN RETALIATION OF PAST GRIEVANCE FILINGS

has been referred to the Superintendent and is currently pending an investigation.

If your grievance isn't responded to within 25 calendar days from the date of filing, you may appeal to CORC in accordance with Directive # 4040 701.8(g) or 701.9(f). This is done by filing a notice of decision to appeal.

Inmate Grievance Complaint

49

Grievance No.

Sing Sing Correctional Facility

0624-22

RECEIVED

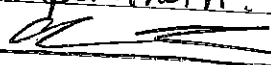
MAY 19 2022

SING SING I.G.P.

Name: Nyjee Boyd ID#: 15B2D63

Location: B-T-33 Date: 5-15-22

Description of incident: On the date of 5-16-22 at approx. 1:00PM C.O. Jose M. Cabrera directed C.O. Isaac to not let me out for my assigned program as T-34 Porters, because I like to write grievances on ~~the~~ ~~officers~~ he further stated I was the one involved in a incident on 3-29-22 involving Sgt. Candelaria and that I was still lucky to even still be breathing. This has not the only time this officer has made these threatening remarks to me and harassed me. This is a violation of employee's Manual 8.1. personal conduct and 2.2 Lawful Comportment.

Grievant Signature: 

Action Requested: I not be subjected to any further retaliation and C.O. Cabrera be disciplined in accordance with DOCCS policies for improper conduct.

cc: Grievance Clerk/File/etc...

EXHIBIT C

From Nyjee Boyd Dim' 15B2063 Date 6-20-22
Sing Sing Correctional Facility
354 Hunter St
Ossining, N.Y. 10562-3442

INFORMAL COMPLAINT

To: Anthony Annucci (Commissioner of DOCS)
DOCS
1220 Washington Ave
Albany, N.Y. 12226-2050

Dear Mr. Annucci:

~~7/6~~ I am writing because on the date of June ~~13th~~, 2022 at approx. 8:30 PM while coming back from ~~Bedroom~~ 8pm med's, I was proceeding down B-Block Flats to return to my Cell, when Sgt. Gonzalez ~~to~~ directed C.O. Londo to search me and directed C.O. Gonzalez to search inmate Greene, before being Pat-frisked C.O. London stated "whats this grievance about that you have against C.O. Marsico" I stated "when he searched my Cell he destroyed several items" C.O. London then stated "you know were you at? your in Sing Sing if you havent noticed we do what we want" he then directed me to step further back while on the wall". C.O. London then reached and stuck his hands inside my boxers grabbing my testicles

Continued to manipulate my Gentiles stating "This what happens when you be stupid and write officers up" During this Pat-Frisk Sgt. Gonzalez witnessed the entire search as well as Sgt. Martinez, C.O. Gonzalez, Incarcerated Individual Greene. C.O. London then directed me back to my housing location. I notified OSI the following day OSI # 294425 despite me making this complaint, I was again retaliated against by C.O. Marsico, C.O. Gonzalez, C.O. London, and C.O. Lowe on 6-13-22. On the date of 6-13-22 at approx: 8:30Am C.O. Marsico and C.O. Gonzalez entered my cell and directed me to strip. I complied and both CO's began to chant "take it off" while being strip frisked C.O. Marsico directed me to bend over at the waste, I complied which C.O. Marsico kept telling me to bend over further and further despite seeing my rectum area he then stated "look at the ass on that" He then stated "Since you like to be a dick play with your dick or we will use force" I then stated I wanted to speak to a supervisor and they directed me to get dress and destroyed several items during the cell search.

On the date of June 13th, 2022 at approx: 4:00Pm C.O. Marsico came to my cell and verbatum Quoted my prea Complaint and stated "I see your not

Obviously that Bright, but you will see real soon Continue to File pre-a complaints". On the date of June 15th, 2022 at approx. 4:00pm Sgt. Gonzalez directed Sgt. Reed to tell me "To Pack-up I being moved to A-Block I advised Sgt. Reed I have a T3V Porter assignment which permits me to be in B-Block he stated "Yes you have a T3V Porter assignment, but either you move or you will be issued a misbehavior report for refusing a direct order" I refused to move out of fear of retaliation by Sgt. Gonzalez and his officers that's known as the "cert team" who is mainly housed in A-Block. These officers and supervisors are in violation of N.Y.S. Doccs Employee's manual 2.1 personal conduct, 2.2 Lawful Compartment, 2.19 Sexual abuse and harassment, 2.20 Duty to report, Sexual abuse and Sexual harassment, retaliation, and Confidentiality, 2.23, 2.45, 3.1, 4.16, 7.13, and 7.9. I request I be protected from any further retaliation and if anything is to happen to me its a result of this complaint and all other complaints ~~re~~ regarding this incident.

cc: Anthony Annucci /
File etc...

from: Kijji Kaji Bin 155200 Date: 8-3-22

COXSACKIE Corr. Fac.

P.O. Box 200

COXSACKIE, NY 12031

TO: Q. Quick (Grievance Supervisor)
Sing Sing Corr. Fac.

I am writing to appeal grievance
No. 0818-22 to the CORC, due to not
given a response within 21 days from
date of filing.

cc: Q. Quick /
file etc...



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM

TO: BOYD, N 15B2063 T-53
FROM: Q. Quick, Supervisor Incarcerated Grievance Program
SUBJECT: Grievance Complaint
DATE: 7/12/2022

Your complaint dated: 7/1/2022 code# 49 filed as grievance #0815-22
titled: ALLEGES OFFICERS RETALIATED AGAINST HIM FOR PRIOR COMPLAINT
has been referred to the Superintendent and is currently pending an investigation.

If your grievance isn't responded to within 25 calendar days from the date of filing, you may appeal to CORC in accordance with Directive # 4040 701.8(g) or 701.9(f). This is done by filing a notice of decision to appeal.

49 1/32

Inmate Grievance Complaint

Grievance No.

0815-22

Sing Sing Correctional Facility

RECEIVED

JUL 01 2022

Name: Nyjee Boyd Din' 15B20623

Location: B-T-53 Date: 6-15-22

SING SING I.G.P.

Description of Incident: On the date of 6-8-2022 I reported to OSI about a prea complaint that happened on the 7th of June, 2022. This prea complaint was not only disclosed to the individual I had the prea complaint on it was disclosed also to several Sing Sing staff including C.O. Marsico, C.O. Lowe, C.O. London, C.O. Gonzalez, and Sgt. Gonzalez as a result, I was subjected to another sexual assault on 6-13-22 by C.O. Gonzalez, C.O. Lowe, C.O. Marsico and C.O. London. I also reported this sexual assault and it was again disclosed ~~the~~ to the above individuals, which C.O. Marsico ^{on June 13, 2022} ~~at~~ approx. 4:00pm came to my cell and verbatim quoted the allegations in my complaint and stated "I see your not obviously that bright, but you will see real soon continue to file prea complaints". I am being retaliated against as a result of reporting such complaints and I've been issued retaliatory misbehavior reports by C.O. Marsico. This is a violation of N.Y.S. DOCS employee's manual 2.1 Personal Conduct, 2.2 Lawful Comportment, 2.7. Communications, 2.13 Language and 2.19, and 2.20-Duty to Report Sexual abuse and sexual harassment, retaliation, and Confidentiality which states in part: "Apart from reporting to designated Supervisors or officials



KATHY HOCHUL
Governor

KEVIN P. BRUEN
Superintendent

April 8, 2022

Sing Sing Correctional Facility
Nyjee Boyd
DIN: 15-B-2063
354 Hunter St
Ossining, NY 10562

Dear Nyjee Boyd:

I am in receipt of your correspondence dated 3/29/2022 and have forwarded it to the N.Y.S. Department of Corrections and Community Supervision – Office of Special Investigations, as the matter would come under their jurisdiction.

Sincerely,

A handwritten signature in black ink that reads "Capt. James M. Browne". The signature is written in a cursive style with a large, stylized "J" and "B".

James M. Browne
Captain
Bureau of Criminal Investigation

FORM #2077 (REV. 6/21)

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

CELL FRISK/CONTRABAND RECEIPT

Original - Incarcerated Individual
Copy - DSSSing Sing CORRECTIONAL FACILITYDate: 6-21-22 Frisk Start Time: 8:30 pm Frisk End Time: 8:50 pmIncarcerated Individual Name: Boyd, N DIN: 15B2063CELL/CUBE/ROOM: N-15Officer Conducting Search: A. Rodriguez K-Jab (60325)
Print Name Legibly Badge # Signature

ITEMS CONFISCATED OR DAMAGED	WHERE FOUND	DISPOSITION OF ITEMS LISTED
① extra mattress	on bed	Returned to inventory

____ NO CONTRABAND FOUND

✓ NO PROPERTY DAMAGED DURING SEARCH

NOTICE TO INCARCERATED INDIVIDUAL: YOU MAY WRITE TO THE DEPUTY SUPERINTENDENT FOR SECURITY WITHIN 7 DAYS OF THIS RECEIPT REGARDING THE CONFISCATION OR DISPOSITION OF THESE ITEMS.

NOTE: DURING THIS CELL FRISK, MY INITIALS BELOW INDICATE THAT THE CELL INTEGRITY CHECK HAS BEEN COMPLETED AS FOLLOWS:

FLOORS: APSINK/TOILET: APAIR VENT: N/AWINDOW CHECKED/INTACT: N/ACEILING: APWALLS: APBARS: APMISC: N/A

IN ADDITION: THE FOLLOWING ITEMS WERE CHECKED FOR COMPLIANCE:

PROPERTY LIMITS (No more than 4 bags of property): ✓PHOTOGRAPH/PICTURE COMPLIANCE (No nudes visible from the front of cell. All photos/pictures confined in the appropriate 2' x 4' section.) ✓INCARCERATED INDIVIDUAL ID MATCHES CURRENT APPEARANCE (Checked ID to incarcerated individual's current appearance, if the incarcerated individual was present for the search.) not present

Comments: _____

FORM #2077 (REV. 6/21)

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

CELL FRISK/CONTRABAND RECEIPT

Original - Incarcerated Individual
Copy - DSSSing Sing CORRECTIONAL FACILITYDate: 6/13/22 Frisk Start Time: 8:30am Frisk End Time: 9:00amIncarcerated Individual Name: Boyd, N DIN: 15B2063CELL/CUBE/ROOM: HAB T 53Officer Conducting Search: C Gonzalez 42401 C Gonzalez
V Masico 5943 V Masico
Print Name Legibly Badge # Signature

ITEMS CONFISCATED OR DAMAGED	WHERE FOUND	DISPOSITION OF ITEMS LISTED
① Gallon purple fermented fruit	under bed	Disposed of

____ NO CONTRABAND FOUND

vm NO PROPERTY DAMAGED DURING SEARCH

NOTICE TO INCARCERATED INDIVIDUAL: YOU MAY WRITE TO THE DEPUTY SUPERINTENDENT FOR SECURITY WITHIN 7 DAYS OF THIS RECEIPT REGARDING THE CONFISCATION OR DISPOSITION OF THESE ITEMS.

NOTE: DURING THIS CELL FRISK, MY INITIALS BELOW INDICATE THAT THE CELL INTEGRITY CHECK HAS BEEN COMPLETED AS FOLLOWS:

FLOORS: vm SINK/TOILET: vm
AIR VENT: NA WINDOW CHECKED/INTACT: NA
CEILING: vm WALLS: vm
BARS: vm MISC: NA

IN ADDITION: THE FOLLOWING ITEMS WERE CHECKED FOR COMPLIANCE:

PROPERTY LIMITS (No more than 4 bags of property): vm
PHOTOGRAPH/PICTURE COMPLIANCE (No nudes visible from the front of cell. All photos/pictures confined in the appropriate 2' x 4' section.) vm
INCARCERATED INDIVIDUAL ID MATCHES CURRENT APPEARANCE (Checked ID to incarcerated individual's current appearance, if the incarcerated individual was present for the search.) vm

Comments: _____

FORM #2077 (REV. 6/21)

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

CELL FRISK/CONTRABAND RECEIPT

Original - Incarcerated Individual
Copy - DSSSing Sing

CORRECTIONAL FACILITY

Date: 6/6/22 Frisk Start Time: 643PM Frisk End Time: 653PMIncarcerated Individual Name: Boyd, N DIN: 15B2063CELL/CUBE/ROOM: T-53Officer Conducting Search: J. Marrero
Print Name Legibly61344
Badge #J. Marrero
Signature

ITEMS CONFISCATED OR DAMAGED

WHERE FOUND

DISPOSITION OF ITEMS LISTED

NCF		
NCF		
NCF		
NCF		
NCF		
NCF		

NO CONTRABAND FOUND

NO PROPERTY DAMAGED DURING SEARCH

NOTICE TO INCARCERATED INDIVIDUAL: YOU MAY WRITE TO THE DEPUTY SUPERINTENDENT FOR SECURITY WITHIN 7 DAYS OF THIS RECEIPT REGARDING THE CONFISCATION OR DISPOSITION OF THESE ITEMS.

NOTE: DURING THIS CELL FRISK, MY INITIALS BELOW INDICATE THAT THE CELL INTEGRITY CHECK HAS BEEN COMPLETED AS FOLLOWS:

FLOORS: JMSINK/TOILET: JMAIR VENT: N/AWINDOW CHECKED/INTACT: N/ACEILING: JMWALLS: JMBARS: JMMISC: JM

IN ADDITION: THE FOLLOWING ITEMS WERE CHECKED FOR COMPLIANCE:

PROPERTY LIMITS (No more than 4 bags of property): JMPHOTOGRAPH/PICTURE COMPLIANCE (No nudes visible from the front of cell. All photos/pictures confined in the appropriate 2' x 4' section.): JMINCARCERATED INDIVIDUAL ID MATCHES CURRENT APPEARANCE (Checked ID to incarcerated individual's current appearance, if the incarcerated individual was present for the search.): JMComments: /

FORM #2077 (REV. 6/21)

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

CELL FRISK/CONTRABAND RECEIPT

Original - Incarcerated Individual
Copy - DSSSing Sing CORRECTIONAL FACILITYDate: 6/6/22 Frisk Start Time: 10:15A Frisk End Time: 10:25AmIncarcerated Individual Name: Boyd, N DIN: 15B2063CELL/CUBE/ROOM: T-53Officer Conducting Search: T. Cunningham 32318
S. Vasquez Felix 61245
Print Name Legibly Badge # Signature

ITEMS CONFISCATED OR DAMAGED

WHERE FOUND

DISPOSITION OF ITEMS LISTED

☒ NO CONTRABAND FOUND☒ NO PROPERTY DAMAGED DURING SEARCH

NOTICE TO INCARCERATED INDIVIDUAL: YOU MAY WRITE TO THE DEPUTY SUPERINTENDENT FOR SECURITY WITHIN 7 DAYS OF THIS RECEIPT REGARDING THE CONFISCATION OR DISPOSITION OF THESE ITEMS.

NOTE: DURING THIS CELL FRISK, MY INITIALS BELOW INDICATE THAT THE CELL INTEGRITY CHECK HAS BEEN COMPLETED AS FOLLOWS:

FLOORS: [Signature]SINK/TOILET: [Signature]AIR VENT: [Signature]WINDOW CHECKED/INTACT: [Signature]CEILING: [Signature]WALLS: [Signature]BARS: [Signature]MISC: [Signature]

IN ADDITION: THE FOLLOWING ITEMS WERE CHECKED FOR COMPLIANCE:

PROPERTY LIMITS (No more than 4 bags of property): [Signature]PHOTOGRAPH/PICTURE COMPLIANCE (No nudes visible from the front of cell. All photos/pictures confined in the appropriate 2' x 4' section.) [Signature]INCARCERATED INDIVIDUAL ID MATCHES CURRENT APPEARANCE (Checked ID to incarcerated individual's current appearance, if the incarcerated individual was present for the search.) [Signature]

Comments: _____

FORM #2077 (REV. 6/21)

Plea - Complaint #294425

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

CELL FRISK/CONTRABAND RECEIPT

Original - Incarcerated Individual
Copy - DSSSing Sing CORRECTIONAL FACILITYDate: May 20, 22 Frisk Start Time: 9 30 Frisk End Time: 9 45Incarcerated Individual Name: Boyd, J DIN: 15B2063CELL/CUBE/ROOM: T53Officer Conducting Search: Marsia London 59432 44759 [Signature]
Print Name Legibly Badge # Signature

ITEMS CONFISCATED OR DAMAGED

WHERE FOUND

DISPOSITION OF ITEMS LISTED

① state mattress	① state pillow	① Alfred laundry element w/ exposed electric wires	② gallons ferment sugar powder	in cell	removed to state shop	confiscated
------------------	----------------	--	--------------------------------	---------	-----------------------	-------------

NO CONTRABAND FOUND

NO PROPERTY DAMAGED DURING SEARCH

NOTICE TO INCARCERATED INDIVIDUAL: YOU MAY WRITE TO THE DEPUTY SUPERINTENDENT FOR SECURITY WITHIN 7 DAYS OF THIS RECEIPT REGARDING THE CONFISCATION OR DISPOSITION OF THESE ITEMS.

NOTE: DURING THIS CELL FRISK, MY INITIALS BELOW INDICATE THAT THE CELL INTEGRITY CHECK HAS BEEN COMPLETED AS FOLLOWS:

FLOORS: 20SINK/TOILET: AAIR VENT: 0WINDOW CHECKED/INTACT: N/ACEILING: 0WALLS: 0BARS: 1MISC: 0

IN ADDITION: THE FOLLOWING ITEMS WERE CHECKED FOR COMPLIANCE:

PROPERTY LIMITS (No more than 4 bags of property): e

PHOTOGRAPH/PICTURE COMPLIANCE (No nudes visible from the front of cell. All photos/pictures confined in the appropriate 2' x 4' section.)

INCARCERATED INDIVIDUAL ID MATCHES CURRENT APPEARANCE (Checked ID to incarcerated individual's current appearance, if the incarcerated individual was present for the search.) [Signature]Comments: [Signature]

FORM #2077 (REV. 6/21)

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

CELL FRISK/CONTRABAND RECEIPT

Original - Incarcerated Individual
Copy - DSSSING SING

CORRECTIONAL FACILITY

Date: 4/6/22Frisk Start Time: 9:45AMFrisk End Time: 9:56AMIncarcerated Individual Name: BOYD NDIN: 15B 2063CELL/CUBE/ROOM: HBB-T-53Officer Conducting Search: Vasquez, Felix61245Vasquez, Felix

Print Name Legibly

Badge #

Signature

ITEMS CONFISCATED OR DAMAGED

WHERE FOUND

DISPOSITION OF ITEMS LISTED

① 1 pair Red/Gray pants	in cell	Bld 8 Basement 1

____ NO CONTRABAND FOUND

X NO PROPERTY DAMAGED DURING SEARCH

NOTICE TO INCARCERATED INDIVIDUAL: YOU MAY WRITE TO THE DEPUTY SUPERINTENDENT FOR SECURITY WITHIN 7 DAYS OF THIS RECEIPT REGARDING THE CONFISCATION OR DISPOSITION OF THESE ITEMS.

NOTE: DURING THIS CELL FRISK, MY INITIALS BELOW INDICATE THAT THE CELL INTEGRITY CHECK HAS BEEN COMPLETED AS FOLLOWS:

FLOORS: (B)SINK/TOILET: (A)AIR VENT: N/AWINDOW CHECKED/INTACT: N/ACEILING: (B)WALLS: (A)BARS: (A)

MISC: _____

IN ADDITION: THE FOLLOWING ITEMS WERE CHECKED FOR COMPLIANCE:

PROPERTY LIMITS (No more than 4 bags of property): ✓PHOTOGRAPH/PICTURE COMPLIANCE (No nudes visible from the front of cell. All photos/pictures confined in the appropriate 2' x 4' section.) ✓INCARCERATED INDIVIDUAL ID MATCHES CURRENT APPEARANCE (Checked ID to incarcerated individual's current appearance, if the incarcerated individual was present for the search.) ✓

Comments: _____

FORM #2077 (REV. 6/21)

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

CELL FRISK/CONTRABAND RECEIPT

Original - Incarcerated Individual
Copy - DSSSing Sing CORRECTIONAL FACILITYDate: 3-29-22 Frisk Start Time: 6:00 Frisk End Time: 6:15Incarcerated Individual Name: BOYD, N DIN: 15B2063CELL/CUBE/ROOM: T-53Officer Conducting Search: J. Cabrea 5844 J. Ce
Print Name Legibly Badge # Signature

ITEMS CONFISCATED OR DAMAGED	WHERE FOUND	DISPOSITION OF ITEMS LISTED
state spray	Locker	secured
state draft bags	under bed	DISPOSED

☐ NO CONTRABAND FOUND☒ NO PROPERTY DAMAGED DURING SEARCH

NOTICE TO INCARCERATED INDIVIDUAL: YOU MAY WRITE TO THE DEPUTY SUPERINTENDENT FOR SECURITY WITHIN 7 DAYS OF THIS RECEIPT REGARDING THE CONFISCATION OR DISPOSITION OF THESE ITEMS.

NOTE: DURING THIS CELL FRISK, MY INITIALS BELOW INDICATE THAT THE CELL INTEGRITY CHECK HAS BEEN COMPLETED AS FOLLOWS:

FLOORS: _____

SINK/TOILET: _____

AIR VENT: JC

WINDOW CHECKED/INTACT: _____

CEILING: _____

WALLS: _____

BARS: _____

MISC: _____

IN ADDITION: THE FOLLOWING ITEMS WERE CHECKED FOR COMPLIANCE:

PROPERTY LIMITS (No more than 4 bags of property): JCPHOTOGRAPH/PICTURE COMPLIANCE (No nudes visible from the front of cell. All photos/pictures confined in the appropriate 2' x 4' section.) JCINCARCERATED INDIVIDUAL ID MATCHES CURRENT APPEARANCE (Checked ID to incarcerated individual's current appearance, if the incarcerated individual was present for the search.) JC

Comments: _____

FORM #2077 (REV. 6/21)

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

CELL FRISK/CONTRABAND RECEIPT

Original - Incarcerated Individual
Copy - DSSSing Sing CORRECTIONAL FACILITYDate: 3/15/22 Frisk Start Time: 10⁰⁰am Frisk End Time: 10²⁷amIncarcerated Individual Name: BOYD, N DIN: 15B2663CELL/CUBE/ROOM: HBB S-28Officer Conducting Search: Polelovic 35717 [Signature]
Print Name Legibly Badge # Signature

ITEMS CONFISCATED OR DAMAGED	WHERE FOUND	DISPOSITION OF ITEMS LISTED
① BLACK Tablet #24	In bottom locker middle shelf	CONFISCATED \$ Brought to B8 basement.

☐ NO CONTRABAND FOUND☒ NO PROPERTY DAMAGED DURING SEARCH

NOTICE TO INCARCERATED INDIVIDUAL: YOU MAY WRITE TO THE DEPUTY SUPERINTENDENT FOR SECURITY WITHIN 7 DAYS OF THIS RECEIPT REGARDING THE CONFISCATION OR DISPOSITION OF THESE ITEMS.

NOTE: DURING THIS CELL FRISK, MY INITIALS BELOW INDICATE THAT THE CELL INTEGRITY CHECK HAS BEEN COMPLETED AS FOLLOWS:

FLOORS: PDSINK/TOILET: PDAIR VENT: NAWINDOW CHECKED/INTACT: NACEILING: PDWALLS: PDBARS: PDMISC: NA

IN ADDITION: THE FOLLOWING ITEMS WERE CHECKED FOR COMPLIANCE:

PROPERTY LIMITS (No more than 4 bags of property):

PHOTOGRAPH/PICTURE COMPLIANCE (No nudes visible from the front of cell. All photos/pictures confined in the appropriate 2' x 4' section.)

INCARCERATED INDIVIDUAL ID MATCHES CURRENT APPEARANCE (Checked ID to incarcerated individual's current appearance, if the incarcerated individual was present for the search.)


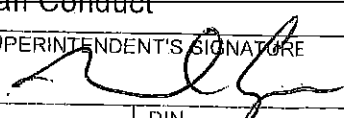
Comments: I/I WAS NOT present during Search

From: My Jet World Div. 152063 Date: August 6, 2022
Coxsackie Corr Fac.
P.O. Box 200
Coxsackie, NY 12031-0200

TO: D. Quick, (I/I Supervisor IGP)
Sing Sing Corr. Fac.

I am writing because I have not received
a decision to grievance No 0815-22 within 35 days
from the date of filing. I wish to appeal to the CORC.

cc: D. Quick I/I
Supervisor IGP /file/
etc...

 Corrections and Community Supervision	GRIEVANCE NO. SS-0664-22		DATE FILED 6/1/22
	FACILITY SING SING		POLICY DESIGNATION Institutional
	TITLE OF GRIEVANCE Staff Conduct		CASE CODE 49
	SUPERINTENDENT'S SIGNATURE 		DATE 6/22/22
INCARCERATED GRIEVANCE PROGRAM SUPERINTENDENT RESPONSE		GRIEVANT Boyd, N	DIN 15B2063 HOUSING UNIT HBA N-15

Grievant claims staff harassment

Grievant interviewed by a supervisor and had nothing further to add to this grievance.

Staff involved provided written report denying the allegations of harassing, or retaliating against grievant.

Based on the investigation conducted, no evidence could be found to substantiate grievant's allegations. Grievance Denied.

APPEAL STATEMENT

If you wish to appeal the above decision of the Superintendent, please sign below and return this copy to the IGRC at the facility where the grievance was filed. You have seven (7) calendar days from receipt of this notice to file your appeal.* Please provide a reason why you are appealing this decision to CORC.

Staff involved in such misconduct, I have several complaints against prior complaints and I was never interviewed. In regards to this complaint. 6/25/22



GRIEVANT'S SIGNATURE

DATE

GRIEVANCE CLERK'S SIGNATURE

DATE

*An exception to the time limit may be requested under Directive #4040, section 701.6 (g)

 NEW YORK STATE Corrections and Community Supervision	GRIEVANCE NO. SS-0539-22		DATE FILED 5/17/22
	FACILITY SING SING		POLICY DESIGNATION Institutional
	TITLE OF GRIEVANCE Medical		CASE CODE 22
	SUPERINTENDENT'S SIGNATURE 		DATE 5/18/22
GRIEVANT Boyd, D		DIN 15B2063	HOUSING UNIT HBB T-53

Grievant states medical staff fails to provide adequate medical treatment.

Grievance Denied. There is no evidence to support the allegations made grievant. Grievant has and will continue receiving the most appropriate medical care/ treatment.

APPEAL STATEMENT

If you wish to appeal the above decision of the Superintendent, please sign below and return this copy to the IGRC at the facility where the grievance was filed. You have seven (7) calendar days from receipt of this notice to file your appeal.* Please provide a reason why you are appealing this decision to CORC.

the grievant have been denied medical treatment in violation of 26b Appeal - 11/1/2022-10/10/22 / right to adequate medical care.

GRIEVANT'S SIGNATURE


DATE

GRIEVANCE CLERK'S SIGNATURE

DATE

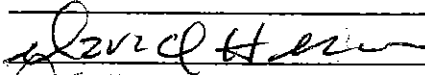
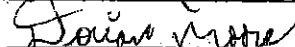
*An exception to the time limit may be requested under Directive #4040, section 701.6 (g)

*cc: Grievance clerk /
File etc.*

 Corrections and Community Supervision INCARCERATED GRIEVANCE PROGRAM IGRC HEARING RESPONSE	GRIEVANCE NO. 0539-22	HEARING DATE 5/17/2022
	GRIEVANT NAME BOYD, N	DIN 15B2063
	FACILITY SING- SING C.F.	HOUSING UNIT 0 B-7-53
	HELD IN ABSENTIA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes, why: IN-CELL	

Response of IGRC:**DISAGREE****CODE: 22**

Per IGRC investigation Grievant was admitted to the infirmary on 4/3/22 and was seen by primary care provider on 5/3/22. If grievant continues to have issues they should be addressed using sick call.

Chairperson: IGRC Members: Date Returned to Grievant: 5/20/22


Appeal:

If you wish to appeal, please check the appropriate box below and return within 7 calendar days to the IGRC office at the facility where the grievance was filed.*



I disagree with the IGRC response and wish to appeal to the Superintendent.



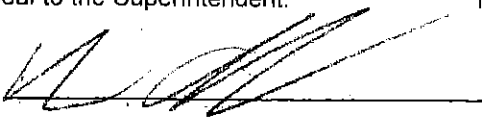
I have reviewed the Deadlocked response. Refer to Superintendent.



I agree with the IGRC response and wish to appeal to the Superintendent.



I want to apply to the IGP Supervisor for review of the IGRC dismissal.

Grievant Signature: Date: 5-25-22


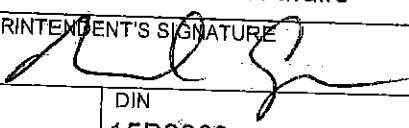
*An exception to the time limit may be requested under Directive #4040, § 701.6 (g).

To be completed by Grievance Clerk

Grievance Clerk Signature: _____

Date Received: _____

Date Forwarded to Superintendent For Action: _____

 Corrections and Community Supervision INCARCERATED GRIEVANCE PROGRAM	GRIEVANCE NO. SS-0464-22	DATE FILED 4/19/22
	FACILITY SING SING	POLICY DESIGNATION Institutional
SUPERINTENDENT RESPONSE	TITLE OF GRIEVANCE Housing- Internal Block Affairs	CASE CODE 23
	SUPERINTENDENT'S SIGNATURE 	DATE 4/16/22
	GRIEVANT Boyd, D	DIN 15B2063
		HOUSING UNIT HBB T-53

Grievant states recreation has been denied by housing sergeants.

Grievance Denied. Investigation reveals there was a minor misunderstanding in reference to incarcerated individuals sanctioned to loss of recreation, however, this issue has been addressed. Grievant is currently sanctioned to loss of recreation along with being assigned an AM and PM program therefore grievant is not entitled to out of cell exercise.

APPEAL STATEMENT

If you wish to appeal the above decision of the Superintendent, please sign below and return this copy to the IGRC at the facility where the grievance was filed. You have seven (7) calendar days from receipt of this notice to file your appeal.* Please provide a reason why you are appealing this decision to CORC.

I appeal this decision because I/I were loss of Rec and denied for long periods of time in violation of my 8th Amendment rights and I signed and supervisors were aware of it I long denied 8-1-2022

GRIEVANT'S SIGNATURE

DATE

GRIEVANCE CLERK'S SIGNATURE

DATE

*An exception to the time limit may be requested under Directive #4040, section 701.6 (g)

*cc: Grievance clerk /
File 1 etc - u*

(23) *04/18/22*

Inmate Grievance Complaint

Sing Sing Correctional Facility

Grievance No. _____

Name: Nyjee Boyd Din:15-B-2063
 Location: B-T-53 Date:4/18/22

Description of incident: on several dates i have been denied one hour of recreation for which I am unassigned and have a sanction of loss of rec each time i have put down for one hour of rec i have been told its the New Policy if you have loss of rec you are not entitled to one hour even if you dont have a assigned program. I have addressed this issweth several sergeants and supervisor officials who continues to enforce this unconstitutional policy. i am challeging this policy as invalid as a matter of law 7 NYCRR section 1704.6(b)which states inpart: "An inmate shall be permitted to exercise outside of his or her cell for atleast one hour daily" section (d) also states: "An inmate who has lost recreation privileges but who is not otherwise keeplocked or confined to his or her cell need not be permitted the daily exercise referred to in Subdivision (b) of this section. However, an inmate who is on loss of recreation status and who has no program shall be permitted the daily exercise referred to in Subdivision (b) of this section. See also Bowe v. Smith, 119 Misc.2d 453(1983). it should be noted I am a mental ill prisoner who has a omh level 1s such denial of rec has excerbated the effects of my mental illness in violation of my constitutional rights as a result i am being unlawfully confined.

Grievant Signature: *[Signature]*

Action Requested: I be provided rec in accordance to 7 NYCRR Section 1704.6 (b),(d) . i also request adequate investigation be conducted into this matter .

RECEIVED

cc: Grievance
 clerk/file/etc.

APR 25 2022

SING SING I.G.P.



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM

TO: BOYD, N 15B2063 T-53
FROM: Q. Quick, Supervisor Incarcerated Grievance Program
SUBJECT: Grievance Complaint
DATE: 6/2/2022

Your complaint dated: 5/31/2022 code# 23 filed 6/9/2022 as grievance # 0651-22

titled: BEING DENIED RECREATION

is currently under investigation by the Inmate Grievance Program Staff.

At the completion of our investigation you will be informed of any informal resolution suggestion or you will be scheduled for a hearing.

If the IGRC hearing does not take place within 16 calendar days from the date of filing, you may appeal to the next level of review in accordance with Directive #4040 701.6(g)2.

Inmate Grievance Complaint

(23)

Grievance No.

Sing Sing Correctional Facility

0651-22

Name: Myjee Boyd Dim. 15B2063


Location: B-T-53 Date: 5-31-22

RECEIVED

JUN 01 2022

SING SING I.G.P.

Description of incident: On the date of 5-30-22 and several other dates, I have been denied rec, despite not being on loss of rec. I have also even been denied a hour of rec, despite staff not letting me out my cell for my assigned program. I spoke to Sgt. Acevado and informed him of my reversal for a disciplinary Tier III misbehavior report which due to this previous sanctions were expunged. Sgt. Acevado continues to deny me such rec, by informing the Company officers to not let me out for rec. Such reversal is dated 5-18-2022. I also showed him Grievance No. 0464-22 regarding loss of rec.

Grievant Signature: 

Action Requested: I be provided rec in accordance with Corr. Law. 137(2) and my Constitutional right not be violated.

cc: Grievance clerk / File / etc.



**Corrections and
Community Supervision**

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM

TO: BOYD, N 15B2063 T-53 N-15
FROM: Q. Quick, Supervisor Incarcerated Grievance Program
SUBJECT: Grievance Complaint
DATE: 6/9/2022

Your complaint dated: 5/31/2022 code# 23 filed 6/1/2022 as grievance # 0651-22

titled: BEING DENIED RECREATION

is currently under investigation by the Inmate Grievance Program Staff.

At the completion of our investigation you will be informed of any informal resolution suggestion or you will be scheduled for a hearing.

If the IGRC hearing does not take place within 16 calendar days from the date of filing, you may appeal to the next level of review in accordance with Directive #4040 701.6(g)2.

Inmate Grievance Complaint

(23)

0651-22

(CON)

Grievance No.

Sing Sing Correctional Facility

RECEIVED

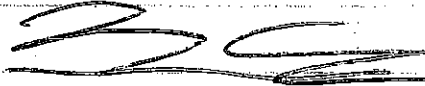
JUN 01 2022

Name: Nyjel Boyd Din: 15B2063

SING SING I.G.P.

Location: B-T-53 Date: 5-31-22

Description of Incident: On the date of 5-31-22 at approx. 5:00pm Sgt. Gonzalez directed my officer I was lose of Rec to not let me out for Rec. I showed the officer my reversal for the hearing of ~~may~~ march 29, 2022. and that I didn't have any sanctions, despite this I was still denied rec in violation of my Constitutional right.

Grievant Signature: 

Action Requested: I be provided rec and my Constitutional rights not be violated.

cc: Grievance clerk /
File letters,



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM


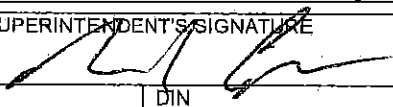
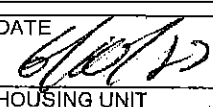
TO: BOYD, N 15B2063 T-53
FROM: Q. Quick, Supervisor Incarcerated Grievance Program
SUBJECT: Grievance Complaint
DATE: 5/9/2022

Your complaint dated: 4/28/2022 code# 44 filed 5/4/2022 as grievance # 0549-22

titled: IGP INTERVIEWING SGT FAILED TO CONDUCT PROPER INVESTIGATION INTO INCIDENT
is currently under investigation by the Inmate Grievance Program Staff.

At the completion of our investigation you will be informed of any informal resolution suggestion or you will be scheduled for a hearing.

If the IGRC hearing does not take place within 16 calendar days from the date of filing, you may appeal to the next level of review in accordance with Directive #4040 701.6(g)2.

 Corrections and Community Supervision INCARCERATED GRIEVANCE PROGRAM	GRIEVANCE NO. SS-0549-22		DATE FILED 5/4/22
	FACILITY SING SING		POLICY DESIGNATION Institutional
	TITLE OF GRIEVANCE Incarcerated Grievance Program		CASE CODE 44
SUPERINTENDENT RESPONSE	SUPERINTENDENT'S SIGNATURE 		DATE 
GRIEVANT Boyd, D	DIN 15B2063	HOUSING UNIT HBB T-53	

Grievant states as a form of retaliation, he was interviewed by a sergeant although the incident involved a sergeant.

Grievance Denied. There is no evidence to support the allegations made by grievant. All grievances will be investigated as required.

APPEAL STATEMENT

If you wish to appeal the above decision of the Superintendent, please sign below and return this copy to the IGRC at the facility where the grievance was filed. You have seven (7) calendar days from receipt of this notice to file your appeal.* Please provide a reason why you are appealing this decision to CORC.

The investigation was improper due to retaliation. The incident took place on March 24, 2022.

GRIEVANT'S SIGNATURE


DATE

GRIEVANCE CLERK'S SIGNATURE

DATE

*An exception to the time limit may be requested under Directive #4040, section 701.6 (g)

*cc: [unclear] Grievance
etc. w/ file etc.*

 Corrections and Community Supervision INCARCERATED GRIEVANCE PROGRAM IGRC HEARING RESPONSE	GRIEVANCE NO. 0549-22	HEARING DATE 5/17/2022
	GRIEVANT NAME BOYD, N	DIN 15B2063
	FACILITY SING- SING C.F.	HOUSING UNIT 0 B-T-53
	HELD IN ABSENTIA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes, why: IN-CELL	

Response of IGRC:

AGREE**CODE: 44**

Per IGRC investigation the wrong complaint was sent to Sgt. A_ in that regard Grievant is correct. There is no conspiracy to cover-up any incident. The investigation will continue but will be done by the L.T.

NOTE: One Committee member dissents.

Chairperson: IGRC Members: 

Council Unavailable
David Herrera
Southern member

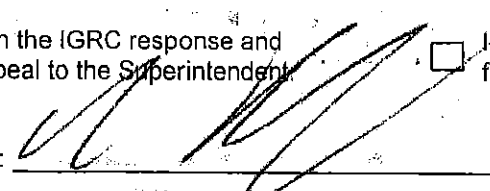
Date Returned to Grievant: 5/27/22Appeal:

If you wish to appeal, please check the appropriate box below and return within 7 calendar days to the IGRC office at the facility where the grievance was filed.*

☒ I disagree with the IGRC response and wish to appeal to the Superintendent.

☐ I have reviewed the Deadlocked response. Refer to Superintendent.

☐ I agree with the IGRC response and wish to appeal to the Superintendent.

☐ I want to apply to the IGP Supervisor for review of the IGRC dismissal.
Grievant Signature: 

Date: _____

*An exception to the time limit may be requested under Directive #4040, § 701.6 (g).

To be completed by Grievance Clerk

Grievance Clerk Signature: _____

Date Received: _____

Date Forwarded to Superintendent For Action: _____

Grievance Complaint

Grievance No.

Sing Sing Correctional Facility

0549-2.2

44

RECEIVED

Name: Nyjee Boyd Din' 15B2063

MAY 04 2022

Location: B-T-53 Date: 4-28-22

SING SING I.G.P.



Description of incident: On the date of 4-26-22 at approx. 4:30 Pm Sgt. ~~xxx~~ Carlos J. Acevedo interviewed me in regards to the incident on 3-29-22 regarding being assaulted by staff one of the staff members being Sgt. Candelario. Such assignment to Sgt. Acevedo was improper and is a attempt to cover-up the assault, he never asked me if I had any witnesses or even attempted to locate any. If anything is to happen to me its a result of several complaints I've filed against Sing Sing staff for improper conduct.

Grievant Signature:



Action Requested: I not be retaliated against and any further investigation into the incident on 3-29-22 be assigned to the proper Supervisory official.

cc: Grievance Clerk / File /

 Corrections and Community Supervision	GRIEVANCE NO. SS-0479-22		DATE FILED 4/19/22
	FACILITY SING SING		POLICY DESIGNATION Institutional
INCARCERATED GRIEVANCE PROGRAM SUPERINTENDENT RESPONSE	TITLE OF GRIEVANCE Staff Conduct		CASE CODE 49
	SUPERINTENDENT'S SIGNATURE 		DATE 5/19/22
GRIEVANT Boyd, N	DIN 15B2063	HOUSING UNIT HBB T-53	

Grievant claims staff harassment

Grievant interviewed by a supervisor and had nothing further to add to this grievance..

Staff involved provided written report denying the allegations of harassing, retaliating or assaulting grievant.

Based on the investigation conducted, no evidence could be found to substantiate grievants allegations. Grievance Denied.

APPEAL STATEMENT

If you wish to appeal the above decision of the Superintendent, please sign below and return this copy to the IGRC at the facility where the grievance was filed. You have seven (7) calendar days from receipt of this notice to file your appeal.* Please provide a reason why you are appealing this decision to CORC.

*The allegations are true and staff falsified documents
such investigation was flawed and none of my witnesses were
interviewed. Yes*

GRIEVANT'S SIGNATURE

DATE

GRIEVANCE CLERK'S SIGNATURE

DATE

*An exception to the time limit may be requested under Directive #4040, section 701.6 (g)



KATHY HOCHUL
Governor

Corrections and Community Supervision

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM

TO: BOYD, N 15B2063 T-53
FROM: Q. Quick, Supervisor Incarcerated Grievance Program
SUBJECT: Grievance Complaint
DATE: 4/22/2022

Your complaint dated: 4/19/2022 code# 49 filed as grievance # 0479-22

titled: OFFICERS SEARCHED CELL IN RETALIATION FOR PRIOR GRIEVANCES

has been referred to the Superintendent and is currently pending an investigation.

If your grievance isn't responded to within 25 calendar days from the date of filing, you may appeal to CORC in accordance with Directive # 4040 701.8(g) or 701.9(f). This is done by filing a notice of decision to appeal.

Inmate Grievance Complaint

Grievance No. _____

Sing Sing Correctional Facility (49)

0479-22

Name: NYJee Bold Din, ISB2063

Location: B-T-53 Date: 4-6-22

Description of Incident: On the date of 4-6-22 at approx: 9:30 Am C.O. L. Lowe, C.O. F. Vasquez Conducted a Cell Search on my Cell, while conducting such search, I asked C.O. L. Lowe, what kind of search was being conducted he than stated "do you want me to spray you" "cause if you want me to spray you I will". He also stated "stop writing grievances and we won't cross this path" C.O. Vasquez and C.O. L. Lowe destroyed several Property items in my Cell and took items and didn't placed these items on the Contraband Search Receipt. Grievant ~~for~~ signature: _____

Action Requested: I not be subjected to retaliation in violation of my 1st Amendment right and not be subjected to retaliation Cell Searches.

cc: Grievance clerk /
File etc...

RECEIVED

APR 19 2022

SING SING I.G.P.



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM

From: Rachael Seguin, Director, Incarcerated Grievance Program
SUBJ: Receipt of Appeal
Date: 7/28/2022

N BOYD 15B2063
Sing Sing Correctional Facility
Your grievance SS-0443-22 entitled
Assaulted By Security Staff/RN Did Not Report Injuries
was rec'd by CORC on 6/15/2022

A disposition will be sent to you after the grievance is reviewed by CORC



KATHY HOCHUL
Governor

Corrections and Community Supervision

ANTHONY J. ANNUCCI
Acting Commissioner

MEMORANDUM

TO: BOYD, N 15B2063 T-53

FROM: Q. Quick, Supervisor Incarcerated Grievance Program

SUBJECT: Grievance Complaint

DATE: 4/11/2022

Your complaint dated: 4/4/2022 code# 49 filed as grievance #0443 -22

titled: OFFICERS ASSAULTED HIM IN RETALIATION FOR PRIOR GRIEVANCE

has been referred to the Superintendent and is currently pending an investigation.

If your grievance isn't responded to within 25 calendar days from the date of filing, you may appeal to CORC in accordance with Directive # 4040 701.8(g) or 701.9(f). This is done by filing a notice of decision to appeal.

Inmate Grievance Complaint

49

0443-22 1st
GRIEVANCE NO.

Sing Sing Correctional Facility

RECEIVED

Name: NYJee Boyd Din: 15B2063

APR 07 2022

Location: B-T-53 Date: 4-4-2022

SING SING I.G.P.

Description of incident: On the date of 3-29-22 at approx: 5:30pm Location of HBB Mess Hall Bridge, while leaving the mess hall for the above date, Location and time C.O. Tulloch directed C.O. Guthrie to place me on the wall for a Pat-frisk. C.O. Guthrie then directed me to submit to a Pat-frisk. I complied while on the wall C.O. Guthrie began to yell stating "what the fuck, you got to say now!" "You thought that Grievance shit was going to work" He then struck me with a closed fist, which also Sgt. Jose Candelario ~~also~~ C.O. Asantewa K. Tulloch and C.O. John Doe engaged in the assault by striking me repeatedly with closed fist punches and kicks. while being assaulted C.O. Tulloch yelled "Talk that shit now Bitch Nigga!" "write a Grievance now" ~~while~~ while cuffed on the floor these ~~individuals~~ Individuals continued to assault me. by kicking me repeatedly and punching me. After the assault, I was escorted to medical by Sgt. Candelario, which he directed medical personnel not to report my injuries, which the Nurse evaluating me didn't report the swelling to my eye and face. this assault was in violation of my 8th Amendment and 1st under the Constitution of the United States.

Inmate Grievance Complaint

Grievance No.

Sing Sing Correctional Facility

Name: Nylee Boyd ID#: 15B2063

Location: B-T-53 Date: 3-20-22

Description of Incident: On the date of 3-20-22 at approx. 7:30 PM, I placed my I.D. inside the B-Block Yard Phone Box and the I.D.'s fell over. C.O. Tulloch stated to me: "Now you're not getting on the phone for the rest of the night." I then stated: "I am getting on the phone, I didn't mean to knock the I.D.'s over." She then stated: "I bet you don't get on the phone tonight, cause you keep running your mouth. I'll go get my boyfriend." I stated: "Your boyfriend, I hear already got beat up." C.O. Tulloch then called Sgt. Candelario to the yard which he terminated my rec and directed me to my cell, which I complied. The actions of C.O. Tulloch was improper and in violation of N.Y.S. DOCS employees manual 8.1 Personal Conduct and 2.2 Lawful Complaint.

Grievant Signature: Nylee Boyd

Action Requested: C.O. Tulloch be disciplined in accordance to DOCS Policies and Procedures for unprofessional conduct and I not be subjected to denial of rec for improper reasons.

CC: Grievance Clerk /
File etc...

Corrections



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUGGI
Acting Commissioner

MEMORANDUM

From: Rachael Seguin, Director, Incarcerated Grievance Program
SUBJ: Receipt of Appeal
Date: 8/19/2022

N BOYD 15B2063
Sing Sing Correctional Facility
Your grievance SS-0664-22 entitled
Property Destroyed/Cell Searched By Officers In
Retaliation For Prior Grievances
was rec'd by CORC on 7/12/2022

A disposition will be sent to you after the grievance is reviewed by CORC

FORM #2077 (REV. 6/21)

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION

CELL FRISK/CONTRABAND RECEIPT

Original -- Incarcerated Individual
Copy -- DSSSING SING

CORRECTIONAL FACILITY

Date: 4/6/22Frisk Start Time: 9:45AMFrisk End Time: 9:56AMIncarcerated Individual Name: BOYD, NDIN: 15B 2063CELL/CUBE/ROOM: HBB-T-53Officer Conducting Search: Vasquez, Felix

Print Name Legibly

61245

Badge #

Vasquez, Felix

Signature

ITEMS CONFISCATED OR DAMAGED

WHERE FOUND

DISPOSITION OF ITEMS LISTED

① Pair Red/Gray Pants	in cell	Bld 8 Basement 1

NO CONTRABAND FOUND

X NO PROPERTY DAMAGED DURING SEARCH

NOTICE TO INCARCERATED INDIVIDUAL: YOU MAY WRITE TO THE DEPUTY SUPERINTENDENT FOR SECURITY WITHIN 7 DAYS OF THIS RECEIPT REGARDING THE CONFISCATION OR DISPOSITION OF THESE ITEMS.

NOTE: DURING THIS CELL FRISK, MY INITIALS BELOW INDICATE THAT THE CELL INTEGRITY CHECK HAS BEEN COMPLETED AS FOLLOWS:

FLOORS: BSINK/TOILET: BAIR VENT: N/AWINDOW CHECKED/INTACT: N/ACEILING: BWALLS: BBARS: BMISC:

IN ADDITION: THE FOLLOWING ITEMS WERE CHECKED FOR COMPLIANCE:

PROPERTY LIMITS (No more than 4 bags of property): ✓PHOTOGRAPH/PICTURE COMPLIANCE (No nudes visible from the front of cell. All photos/pictures confined in the appropriate 2' x 4' section.) ✓INCARCERATED INDIVIDUAL ID MATCHES CURRENT APPEARANCE (Checked ID to incarcerated individual's current appearance, if the incarcerated individual was present for the search.) ✓Comments:

From: Nyjee Boyd Din. 15B2063
Sing Sing Corr. Fac.
354 Hunter st
Ossining, NY 10562-3498

Date: 4-20-22

To: Grievance Supervisor
Sing Sing Corr. Fac.

I am writing because, I filed a Grievance dated 3-20-22 - regarding C.O. Tulloch, also filed Grievance dated 4-6-22 - regarding denial of Rec, ~~and~~ and filed a Grievance dated 4-6-22 - regarding Cell Search by C.O. L. Lowe and C.O. Vasquez, I also filed a Grievance dated 4-9-22 regarding Claim No. 1300077-21 and 130-0002-22, none of the above mentioned grievances, I submitted ~~and~~ did I receive a Grievance No. I request those Grievances be appealed to the Superintendent and Corc.

cc: Grievance Super
File etc...

7021 0950 0001 8578 9903

Yjee Boyd Dim, 15B2063
Coxsackie Correctional Facility
P.O. Box 999
Coxsackie, New York, 12031-0999

COXSACKIE



CORRECTIONAL FACILITY

NEOPOST

10/03/2022

US POST

\$017.15



ZIP 12051
04111254768

U.S. District Court clerk
Southern District of New York
U.S. Courthouse
300 Pearl St
New York, NY 10007-1312

